



ENDING MASS INCARCERATION

The Multifaith
Initiative to
End Mass
Incarceration

Resources
& Action Toolkit

CONVENED BY



JUNE 2019

Dear Friends,

Welcome to Atlanta! And welcome to Ebenezer Baptist Church, the spiritual home of Martin Luther King Jr. We are America's freedom church!

My colleagues at Ebenezer, Auburn Theological Seminary and The Temple—particularly the Rev. Dr. Katharine Rhodes Henderson and the Rev. John Vaughn, Rabbi Peter Berg and Rabbi Lydia Medwin—are grateful for your active participation at this first convening of the multifaith movement to end mass incarceration.

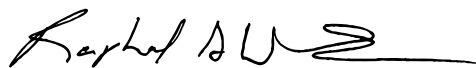
For reasons ethical and personal, dismantling the systemic injustice of mass incarceration has long been my prophetic passion. Accordingly, I conceived of this conference about four years ago. But its realization is the collective product of principled collaboration, courageous conversations and hard work over the course of the last 18 months. That is why I want to express my profound gratitude to our co-conveners and holy co-conspirators at Auburn and The Temple, our sponsors and partners and the many members of our planning committees who have helped us to define our goals and shape the events of these exciting three days.

Please be clear: This is only the beginning of a multiyear commitment to bring together people of faith and moral courage to address our collective witness to one of the central and most consequential moral issues of our time. Warehousing nearly 25 percent of the world's prison population, the United States of America—the land of the free—is the incarceration capital of the world. Our jail and prison population has increased—sometimes while crime was decreasing—a whopping 500 percent in the past 40 years. Moreover, those who have served their time and “paid their debt” are a part of a caste system, routinely experiencing voting discrimination, job discrimination and housing discrimination, key areas of engagement and victory during the 1960s era of the civil rights movement. The so-called “war on drugs” has been a tragic war on communities of color and the poor. It has been the chief tool of the racial politics of backlash, and it is the terrain upon which those of us who believe in Dr. King's vision must fight.

This is our charge. We in the faith community, who have long provided much-needed pastoral presence, chaplaincy and support to those incarcerated, formerly incarcerated and their families must now speak in a clear theological voice about the systems that perpetuate mass incarceration, and organize an effective moral witness against the laws, policies and policing practices that contribute to its continuing evolution. In word and deed, we must say: “Let My People Go.”

So thank you for joining us in this work! I believe that our God—known by many names and worshipped in many houses—will indeed light our path and lead the way.

Every blessing,



The Rev. Dr. Raphael Gamaliel Warnock



Multifaith Reflections & Organizations

▶ Let My People Go: Multifaith Reflections	5
▶ Building an Interfaith Movement REV. DR. RAPHAEL WARNOCK	15
▶ Bring out the Prisoners DR. TERESA SMALLWOOD	20
▶ A Personal Reflection REV. DR. HECTOR B. CUSTODIO	22
▶ Multifaith Organizational Resources	24

Criminal Justice Issues & Resources

▶ Key Definitions	27
▶ Key Facts	28
▶ Criminal Justice 101	32
▶ Words Matter	41
▶ On Language: An Open Letter from Eddie Ellis	42
▶ <i>Washington Post</i> Op-Ed — Justice Department Policy	44
▶ For Congregational Education — Movies & Books	45
▶ Criminal Justice Reform Organizations	56

Taking Action — Working for Change

▶ Getting Started	59
▶ Voting for Reform & Policy Change	60
▶ Working Toward Bail Reform	64
▶ Ending Solitary Confinement	69
▶ Supporting Families & Children	73
▶ Helping Incarcerated People	81
▶ Providing Reentry Support	87
▶ Creating Expungement Events	BOOKLET

Multifaith Reflections & Organizations

- ▶ Let My People Go: Multifaith Reflections
- ▶ Building an Interfaith Movement REV. DR. RAPHAEL WARNOCK
- ▶ Bring out the Prisoners DR. TERESA SMALLWOOD
- ▶ A Personal Reflection REV. DR. HECTOR B. CUSTODIO
- ▶ Multifaith Organizational Resources



Let My People Go: Multifaith Reflections

Multifaith Reflections for Ending Mass Incarceration

In no area of American society are the legacies of slavery and racism more clear than in the criminal justice system.

Tracing its lineage through the history of slavery and Jim Crow, the multigenerational epidemic of mass incarceration and the prison industrial complex are dominant expressions of systemic racism in U.S. society today. We acknowledge, as faith leaders, that this system of oppression and violence was supported and perpetuated too often by those who twisted the sacred words of the divine. In this collection of theological reflections, we seek to equip faith leaders and those with moral courage with the texts that will reconnect us with our profoundly shared humanity and remind us of the imperative to collectively work toward justice. And in doing so, we will redeem the stories and traditions that are most dear to us, for we know that they are a source of wisdom, compassion, goodness, freedom and justice for all, including those caught in the snares of our so-called “criminal justice system.”

The faith voices represented below have different opinions on many pieces of this conversation, such as the role of abolition of the prison system, the purpose of punishment versus rehabilitation, the biggest priorities to correcting the system, etc. But we all agree on these truths: Mass incarceration is morally wrong; it’s destructive; it’s a form of racism and oppression; it needs to end; and it must be radically transformed into a system that builds our world instead of tearing it apart.

We hope you’ll find these reflections helpful when crafting your own sermons and bulletins, newspaper articles and social media posts. It is going to

take all of our voices of faith and moral courage to change the narrative around mass incarceration, and to encourage those in our communities to mobilize and advocate for change. Every faith tradition paints an outline of a society that centers on justice and dignity for all people. When we hear our sacred texts commanding us “Justice, justice shall you pursue,” we know that they are meant not just for those holding the jailors’ keys, but for all people of faith who endeavor to build the societies we are taught to create. If we hope to call ourselves “righteous ones” who hope to “behold the Face of God” (Qur’an 76), we must be the painters of a brave new way, so that the future we craft is a worthy abode for our children’s children and for holiness. We hope these resources—the clear articulations of the problems, the ways our texts invite a spacious heart opening toward the experience of these problems, and some ways our texts ask us to engage with these problems—will serve as an aid toward that endeavor.

Moses said to Pharaoh, “Let my people go!” We will take this imperative upon ourselves, as the inheritors of that legacy, as we raise up this conversation to the consciousness of all Americans, to free the captives, to decriminalize the poor, and to create a future of hope, healing and wholeness.

We offer our deepest gratitude and most profound respect to the contributors to this collection. They bravely write for audiences they may not know personally, but know by their shared willingness to challenge their notions of how God can come into our work to end mass incarceration. We pray that those of us with faith and moral courage will join together to create a new narrative about incarceration and a new future

for America. We thank you, people who have found faith behind bars and people who have found faith because they hear the cry of the oppressed, who’ve joined the thousands who will demand a dismantling of the status quo and the birth of a new country where we are indeed all free. May God find favor on you and your words, that they become truth in your eyes and the eyes of all who learn from you.

Amen.

- ▶ Rabbi Peter Berg
- ▶ Dr. Elizabeth Bounds
- ▶ Rev. Dr. Hector B. Custodio (Pastor Benny)
- ▶ Dr. Mark Douglas
- ▶ Rev. John Ducksworth
- ▶ Rev. Billy Honor Jr.
- ▶ Rabbi Lydia Medwin
- ▶ Dr. Patrick Reyes
- ▶ Dr. Simran Jeet Singh
- ▶ Dr. Teresa Smallwood
- ▶ Rev. Dr. Raphael Warnock

Societal Chaos

Excerpted from an essay
by Dr. Teresa Smallwood

Mass incarceration is a symptom of larger societal chaos; addressing it requires addressing the chaos.

Industry is the mode of production that catapulted textile manufacturing; later it was steel and coal, products of the Industrial Revolution. During the Industrial Revolution, the technology of mass production offered our capitalist economy an opportunity for exponential growth. That growth potential has now morphed into a prison industrial complex in which the bodies of caged human beings serve as the commodity by which the industry thrives—the rich get richer and the poor get poorer. The very concept of industry as applied to caged bodies seems almost barbaric. But private industry is not the only malefactor. State and local governments enjoy the lion's share of profits from caged bodies.

A system of government that will cage its people before it will clothe its people is a system out of control. When a system is so far out of control that the measurement of profit blinds governmental actors from making humane decisions, the result is overpopulation in the prison system. That is the state of affairs we call mass incarceration. It cannot be fixed from within. There is a need for a reassessment, a process of re-engineering. The governmental apparatus is fraught. It cannot administer justice because it is inherently unjust. The chaos that emerges from this broken system is the “surveilling eye,” the protracted, supermasculine power of the nation-state spiraling out of control. Proliferating and propagating fiction versus truth, the nation-state of postmodernity manufactures social control through selective truth. America's criminal justice system evolved from this frame. Its prophecy is bondage. Its foundation pushes some human beings into the shadows of existence while others flourish in the citadels of greed.

Mass incarceration does not refer

only to those currently behind bars; it signifies the complex nature of existence for the incarcerated well beyond the period of incarceration. The formerly incarcerated, their families and communities are never ever free from incarceration: they are severely impoverished, politically disenfranchised and reduced to perpetual existential crisis.

Who challenges the false prophecy of a carceral nation-state? What interventions must be employed to foster liberation for those condemned by a nation-state obsessed with itself and oblivious to the common interest of the people? **The prophet Isaiah, in chapter 42, suggests it is we who listen to the voices of the marginalized; voices of faith who are attentive to the cry of the children; we who will not be silent in the face of multiple sites of suffering at the hands of the carceral nation-state; we who can envision, articulate and codify hope for a people in chaos.**

The prophet records a mandate from God: “I am the Lord, I have called you in righteousness, I have taken you by the hand and kept you; I have given you as a covenant to the people, a light to the nations, to open the eyes that are blind, to bring out the prisoners from the dungeon, from the prison those who sit in darkness.”

THE FULL ESSAY CAN BE FOUND AT THE
CONCLUSION OF THE REFLECTIONS SECTION

What Should We Be Doing?

Excerpted from an essay by Rev.
Dr. Hector B. Custodio (Pastor Benny)

I'm often asked, “How can the houses of worship take a proactive approach with our formerly incarcerated?”

First, we need to focus on language: “Inmate.” “Formerly incarcerated.” “Felon.” It's imperative that we change the cultural mindset because the aforementioned words strip us of our humanity. Christianity in particular must account for a painful history—a history of willful bloodshed that has been theologically justified. There is

a disconnect between faith commitment and the institution of politics, and a striking disparity between the religious foundations of law and the punishment now practiced. It is disturbing that faith communities have not united in response to the existing crisis in the prison industrial complex. This observation is motivated by the silence of most religious institutions and the inadequacy of current prison ministry. Ministry programs need to be implemented to effectively transform individual lives, communities in need and the penal system at large.

There is an ongoing discourse to determine whether punishment should function as a means for rehabilitation or retribution; if it is to operate for utilitarian purposes or deterrence; and whether its purpose is to be retrospective or prospective. Based on my experience as a person who had been incarcerated, I believe the current penal system has no positive aim. I believe that we can transform the criminal justice system from one that seeks vengeance to one that restores by focusing on how different approaches to punishment can heal instead of harm. Restorative justice is a developing social movement that works to institutionalize nonviolent resolutions to criminal and human rights violations.

This goal can be attained when the person who joins the religious ministry in prison and follows the steps outlined in the program gains the desire to approach those they have wronged to seek forgiveness and to move on. By taking the first steps in the prison ministry and finding a way to actively pursue betterment in their own lives, the returning citizens will be able to present themselves as penitent individuals. They will be willing to meet and discuss circumstances to provide closure and even provide some form of compensation as a means of righting the wrong that they have done. Of course, this concept must be broad in its initiative because there are a variety of criminal acts that require various forms of meetings with the injured party. Overall, though, the prison ministry will provide a valuable framework for connecting criminals to

the community so they can improve the lives of people they once harmed.

The moment that a person makes the transformation from prisoner to citizen is incredibly significant. After all, the person now has to find a home and a job, make connections and secure transportation. A prison ministry has the power to ease this burden and make the process of reintegration less risky for the returning citizen. There have been several different approaches to this issue that other ministries have utilized, which can serve as a guide for prison ministries. The first way a prison ministry can reduce the chance of recidivism is by providing housing to former inmates, which enables them to succeed at reintegrating. Helping those in a prison ministry locate another source of religious support outside of the prison, such as a church, also has been shown to prevent recidivism. Therefore, the houses of worship should adopt a “returning citizen.”

THE FULL LECTURE CAN BE FOUND AT THE CONCLUSION OF THE REFLECTIONS SECTION

Building an Interfaith Movement

Excerpted from a lecture
by Rev. Dr. Raphael Warnock

Michelle Alexander has persuasively argued that the mass incarceration of tens of thousands of black men for nonviolent drug-related offenses and the lifelong consequences that result are constituent parts of *The New Jim Crow*. I agree. There is no clearer example of America’s unfinished business with the project of racial justice in a putatively post-racial era than the 21st century caste system engineered by its prison industrial complex. Moreover, I submit that there is no more significant scandal belying the moral credibility and witness of American churches than their conspicuous silence as this human catastrophe has unfolded over the last three decades.

It seems to me that our nation needs an interracial and interfaith coalition of principled people committed to the hard work of abolishing mass incarceration, the new (and improved) Jim Crow. But while arguing for this, I must admit that so far neither the black church nor black theology has put forth a clear theological voice and moral witness on the subject of mass incarceration and its human rights implications in the 21st century. To be sure, scores of black churches have prison ministries and some even have reclamation ministries for formerly incarcerated individuals.¹ But there is a vast difference between offering pastoral care and spiritual guidance to the incarcerated and formerly incarcerated and challenging the public policies, laws and policing practices that lead to the disproportionate incarceration of people of color in the first place. The relative absence of an interfaith movement addressing itself to the glaring political contradictions of mass incarceration can be attributed to: 1. A sharp emphasis upon privatistic piety; 2. The social and moral stigma attached to the issues of crime, the drug trade and those involved; and 3. The need for an intentional pastoral ministry that understands the difference between charity and justice.

The black church is—for reasons of history and theology—a church with a divided mind.² Shaped by the evangelical fervor of the period of the Great Awakening and other similar revivalist movements, its proclamation has posited the theological sensibilities of a profoundly *privatistic piety*, emphasizing the freedom of the individual soul. On the other hand, because it was formed within the context of the American slavocracy and born fighting for freedom, the black church also has embodied in its proclamation and demonstrated through its praxis a prominent theme of *political protest* aimed at the biblical view of salvation as deliverance into a “good and broad land,”³ “a new heaven and a new earth.”⁴ Put another way, black churches have addressed their ministries both to *the slavery of sin* and *the sin of slavery*. To be sure,

in the broad sweep of black church history, both themes are present and prominent, sometimes complementing and at other times competing with one another for dominance as the black church wrestles through the dilemmas and double-consciousness of its own identity and sense of mission.

Yet because the soteriological imagination of American churches has tended to be largely individualistic in a way that mirrors the culture itself and because black churches have not been sufficiently self-reflective about the theological meaning of their own distinctive history and liberationist heritage of radical protest, a privatistic piety emphasizing the salvation of individual souls while eschewing the hard political work of transforming the society tends to be the default position, even for black churches. Because it too is a largely evangelical church, it is not too difficult to see how the black church, caught up in the unexamined political presuppositions of the American evangelical ethos, can become self-alienated from its own liberationist legacy. Moreover, with the increasing middle-class upward mobility of much of its membership in the decades after the civil rights movement increasing alienation from the black church’s revolutionary sensibilities risks becoming wholesale abandonment of the work of freedom fighting as even relevant to its Christian identity and praxis. Amidst the serenity and “safety” of the sanctuaries of our churches, the focus is upon *souls alone* because the endangered black bodies warehoused in America’s prison industrial complex, unlike those oppressed during the era of Jim Crow segregation, are both out of sight and out of mind.

Yet this kind of truncated view of salvation has always been dangerous, particularly for oppressed people. Its tragic political implications can be clearly seen in a letter written by George Whitefield, a prominent preacher during the first Great Awakening and a fierce advocate of saving the souls of slaves while keeping their bodies in physical bondage. He gloats that “near (sic) 50 negroes came to give me thanks for what God had done

to their souls...I believe masters and mistresses will shortly see that Christianity will not make their negroes worse slaves.”⁵ To the contrary, African American Christians resisted this truncated view of salvation, embracing instead a view of divine liberation both from the slavery of sin and the sin of slavery. Evidenced in the spirituals, the prominence and distinctive hermeneutical deployment of the “exodus motif,” subversive survival ethics like “puttin’ on ol’ massa” and other elements of the slave tradition is an oppositional piety whose distance from that expressed by Whitefield was “wide and deep,” representing what Dwight Hopkins calls “the co-constitution of the black self” under the divine aegis of a God who wills human freedom.

THE FULL LECTURE CAN BE FOUND AT THE CONCLUSION OF THE REFLECTIONS SECTION

LIFTING UP OUR VOICES

Collective Outcry

We in the faith community know that part of our role in the community is to respond to those in need. Most faith communities find their way toward service and charity. But not all of us see it as a part of our faith tradition to lift up the voices of those in need as a collective, and reflect their pain to those with the power to fix the problems faced by our most vulnerable groups. When the Israelites were slaves in Egypt, their individual cries did not seem to make much impact on the divine. It was not until they cried out as if with one voice that God took notice. **“The Israelites were groaning under the bondage and cried out; and their cry for help from the bondage rose up to God. God heard their moaning, and God remembered His covenant with Abraham and Isaac and Jacob. God looked upon the Israelites, and God took notice of them.” (Exodus 2: 23-25).**

If we want God to hear the suffering in the experiences of the oppressed, our theology demands that we amplify the voices of those so often ignored and dismissed. To the people sitting in the halls of power, we must remind those

who serve in public office of their covenant with us, the people, to serve our needs—and not the other way around.

Moral Outrage

In hearing and amplifying the voices of our brothers and sisters, we must make space for righteous indignation and moral outrage. To pretend that this step can be passed over is to dismiss the terrible brutality of what has transpired over centuries of indelible suffering. In the books of the Prophets in the Hebrew Bible, we find a famous example of what this moral outrage looks like: As the people are dutifully attending to their daily sacrifices and following their fasting and ritual observance, it becomes clear to the prophet Isaiah that their ritual is empty. “Is such the fast I desire, A day for men to starve their bodies? Is it bowing the head like a bulrush and lying in sackcloth and ashes? Do you call that a fast, a day when the LORD is favorable? **No, this is the fast I desire: To unlock fetters of wickedness, and untie the cords of the yoke, to let the oppressed go free; to break off every yoke.” (Isaiah 58).**

One simply cannot go about a daily life of “piety” while stepping over the bodies of the vulnerable in the streets. But in addition to pointing out the hypocrisy of serving God while oppressing the other, Isaiah offers us an example of public moral outrage. He did not decry the hypocrisy in hushed tones, behind closed doors, and only to his circle of friends in the echo chambers of Facebook. No, he stood in the public square and shouted at the top of his lungs, so as to make public his outrage. He made space for others who also might have been feeling the hypocrisy to make their outrage known too.

We must acknowledge and make sacred space for the anger that exists in black and brown communities, and not expect those voices to remain passive or placid, even as we work to replace the broken systems. There must be a place for outrage in the public square, and an acknowledgement of that outrage with respect. Unlike the experience of the prophet, who too often

stood alone, scorned and rejected, society must respond with openness, listening and responsiveness.

Public Reconciliation

When Abraham was on the verge of sacrificing his son Isaac, God stopped him and called, “Abraham, Abraham!” And Abraham answered, “*Hineini*, I am here.” When God spoke to Moses out of the burning bush, God called, “Moses, Moses!” And Moses replied: “*Hineini*, I am here.” When there is a moment of heightened tension, when we sense God calling out to us to pay sacred attention to a pivotal moment, we must respond with “*Hineini*, I am here.” “I am here” is a signal of complete attention, of attentive listening, of the desire to respond with full heart and with the intention to bring full reconciliation to that call into divine relationship. With “*Hineini*,” we are saying to God, “I am listening to you because I want to serve you, to serve my highest purpose, in this moment. I’m ready to turn to the path of goodness.”

When we consider what this theology asks of those of us who are complicit, either actively or through our passivity, in the propagation of Jim Crow through the system of mass incarceration of black and brown bodies, we who call ourselves “people of faith” must respond to our black and brown brothers and sisters with “*Hineini*.” With this simple word, we must listen deeply to their experiences and we must open ourselves to discovering what will bring healing and closure to their regular intimate encounters with life-and-death situations, crafted by our society. **As a collective, we must respond with “*Hineini*,” meaning, “I truly hear your pain; I want to be a part of creating new systems that serve us all; and I will do what is needed to bring reconciliation to the suffering you’ve endured for the past 400-plus years.”**

BEARING WITNESS

Empathy and Compassion

In so many faith traditions, when God created humans, they were created in the image of the divine. It follows, then,

that every human, though the appearance may differ greatly on the outside, has the same divine spark residing within. From this foundation, we derive the values of divinely given equality and right to self-determination. We also learn about our ability to experience empathy and compassion, for if each person contains the same God-stuff in their souls, then the human experience is universal. Pain equals pain, no matter which body feels it. We understand, on the deepest levels, that one person's pain deserves an empathic and compassionate response by the other. **Jesus famously teaches: "What you have done to the least of these, you have done to me."** Jesus feels the pain of the vulnerable in society, and asks us to consider our treatment of "these" in terms of the way we'd treat Jesus himself. With this statement, Jesus invites us into the divine act of empathy and the resulting compassion as a way to guide our actions.

Testimony

To testify in a religious context is to bear witness to truth, to bring one's own personal experience and share that experience from a desire to connect with another and share the sacred message of God's deliverance. While testimony takes on other meanings inside of a courtroom, this testimony of the spirit is fundamental when addressing the truths about mass incarceration; we must center the testimony of those who've experienced incarceration, both in order to redeem these individuals and honor their experiences for the sake of their redemption AND to bring light into this dark place so that we can do it better. We must use testifying as a way to bring the narratives of those who've experienced incarceration to bear on our work. As we learn from the popular hymn "Blessed Assurance," when one understands the power of God in one's life, one must testify to that experience of divine deliverance. All the more so, **when we center the stories of those who've been incarcerated, we seek to co-create a future of collective deliverance, for which one day we will sing a new song of witness and testimony.**

Liberation and Empowerment

Liberation is the act of freeing a person or community from enslavement or imprisonment. In the United States, there could not be a better word to justify the end of mass incarceration than liberation. For people of faith, this act of freeing from bondage is exemplified time and time again in our sacred texts. Stories that illustrate freedom are at the heart of our faith traditions, whether they are those recorded in Exodus, where God's people are led to freedom from the Egyptians, or **Isaiah's proclamation in chapter 61:1, "The Spirit of the Sovereign Lord is on me, because the Lord has anointed me to proclaim good news to the poor. He has sent me to bind up the brokenhearted, to proclaim freedom for the captives and release from darkness for the prisoners."** That cry was later restated by Jesus in the wilderness in the book of Luke.

Liberation is ultimately about removing the barriers for each person to engage in his or her own self-determination. A person who is free to decide how to bring God's voice and hands into our world is exerting his free will, which is ultimately God's greatest prayer for us and the reason we were created. This person has ownership over her life, and will more often than not be motivated to make the most of it. It is the way God would will it to be.

Along the same lines, a person who has experienced the denial of liberation has much to teach about how to liberate other prisoners. Around the time that many South Asian communities celebrate Diwali, the festival of lights, Sikhs around the world commemorate Bandi Chhor Divas, the day their sixth guru, Guru Hargobind, was released from prison. After he successfully negotiated for his own release, he insisted that the Mughal ruler also release the other 52 prisoners locked up for the threat they posed the new emperor. The ruler put conditions on their release: Whomever can hold on to the guru's coat can be released. And so the guru had a cloak made with 52 strands, so that each prisoner could walk out of the prison with the guru. The lesson? **A person**

who has experienced incarceration is highly able to lead the way for his own liberation and that of others who've had similar experiences. People who have been imprisoned are so much more than a reflection of their worst day. Whether liberation comes first for someone who's been imprisoned or empowerment comes first, one key to our collective redemption surely rests in the hands of those who've liberated themselves and others.

RACISM, POVERTY AND JUSTICE

Damming the Mighty Stream

It is clear from all of our traditions that justice must be served where necessary. But when the system confuses poverty or race with guilt and criminality, the system itself becomes dysfunctional. A society without the ability to distinguish between racism and actual justice is a society in chaos. **Where justice is supposed to flow like a mighty stream, the system lacks the ability to distinguish between racism and justice for some of us, damming up that justice to a near standstill for all of us.**

Standing with the Oppressed and the Stranger

The way we respond to strangers and to the poor identifies us as people of faith. God calls us in every generation to challenge unjust systems. **The call to stand with and care for those who are marginalized, oppressed and persecuted is clear in the Scriptures and in the traditions of our faith: "Learn to do good; seek justice, rescue the oppressed, defend the orphan, plead for the widow." (Isaiah 1:17).** Since its beginning, the Christian church has sought to extend the love of God to those in need through care and service. **So too in the Qur'an: "The righteous are those who, out of love, feed the needy, the orphan, and the captive, saying: We only do this for the sake of beholding the face of God."**

Through the national debates around asylum seekers, we have seen the best of our national character—generosity, hospitality, practical care and deep compassion—and the worst of our nation—political opportunism,

mean-spiritedness and fear of outsiders. Yet our faith informs us that all humans are created in the image of God and loved by God; therefore, we are inherently worthwhile and deserving of dignity and respect. Jesus calls on us to recognize each other as brothers and sisters in his love: “Just as I have loved you, you also should love one another.” (John 13:34). In addition, all people of faith are called to “love their neighbor.” Jesus explains that all the law and prophets hang on the commandments to love God and love one’s neighbor as oneself (Matthew 22:40), not to mention the injunction to “welcome the stranger.” Throughout the Hebrew Bible, God is identified as the God who cares for the exiled and the persecuted refugee. Lastly, Scripture also frames the entire salvation story as one of hospitality, grace and welcome. In biblical terms, salvation is a welcoming home and frequently heaven is portrayed as a place of lavish, gracious, “borderless” hospitality.

The Biases of the Courts

Found in many places in our sacred texts are the warnings about the inherent vulnerabilities of the poor. Being poor is not a crime, but even since ancient times, there’s an awareness that society is prone to act in such a way. **The words of Proverbs 22, “Do not rob the poor because he is poor. Do not crush the needy in the gate (the place where court hearings were held),” ring out as a true warning then and now—we are more likely to view someone as subject to criminal activity just because they are poor, despite any facts to the contrary.** And when we do, there is a second violence being done to them in the court of law, because whereas a wealthier person might have the means to escape the system (for example: better lawyer, more able to pay off fines and penalties incurred, better access to the halls of power, capacity to project a better “reputation,” from their appearance to their relative notoriety), the poor person may have no means of escape. Therefore, courts must be extra sensitive to their own biases, aware of the impact

of these biases on their rulings, and adjust their rulings accordingly. And for those who are voted into positions within the criminal justice system, you are called to attend to your own biases; once they have been laid bare by your policies and actions, voters of faith will be watching and responding in kind.

Intersection of Poverty and Justice

As Eric Williams noted in his *Capitalism and Slavery*, it was profitable to put African slaves in chains in this country. Likewise, it was profitable to exterminate and force Mexican and indigenous people to labor the land during the conquest of the Western half of the United States. Generations of wealth were stolen from communities of color, causing intergenerational poverty. The ways that race and poverty intersect, historically and contemporarily, have led to poverty as one of the most striking factors to instituting mass incarceration. In short, it is a crime to be poor, and some groups have been made poor by design.

Historical and contemporary poverty continue to plague our nation and serve as one of the primary indicators for a potential run-in with the justice system. Mass incarceration is a system profiting on historic and contemporary poverty. Therefore, we must change the narrative of what it means to be poor in America. **When Jesus spoke of the poor, he overwhelmingly spoke of them with love and a sense of responsibility toward their fate: “Then he looked up at his disciples and said: ‘Blessed are you who are poor, for yours is the kingdom of God.’” (Luke 6).** When many traditions speak of the poor, they refer to their vulnerabilities with regard to the systems that tend to work against them, and call on us to protect and nurture them. People of good faith also see, as a part of their work, the lifting of the poor out of poverty and into economic stability. Surely, our faith traditions would view the punishment of the poor through mass incarceration as a sin, and would have us see the poor as humans with the same rights to dignity and compassion as any other group. In addition,

when those of faith assess the processes of cash bail, they will come to see it as another form of punishing the poor. Cash bail is yet another system that profits off of poverty, and one that must be abolished if we truly see the poor as equally human and deserving of the rights to dignity and compassion.

THE ROOTS OF INCARCERATION

History of Oppressive Theology

Historically, this issue of how, when, and which persons Christianity gives license to enslave begins centuries ago. Here in the United States, conscientious masters found themselves in a dilemma: to deny conversion and baptism would retard Christianization; to favor it might cause them the loss of their property. To avoid this dilemma some of the colonial assemblies altered the religious sanction for slavery and based its validity frankly upon race. While positively denying that conversion or baptism was a sufficient reason for enfranchisement and insisting that all slaves must serve for life, they at the same time called upon masters to use their efforts to convert slaves to the Christian religion. Thus between 1664 and 1706, at least six of the colonies passed acts affirming this principle. We do not have to go far or look beyond the walls of the faith community to realize how much damage has been done by those within the faith community.

One of the early results of these crimes was the introduction of the “Slave Bible,” printed by the Missionary Society for the Conversion of Negro Slaves (1794). This so-called remix of the King James Version (1808) intentionally omits those portions of Scripture that speak to the bondage by the Egyptians, the wandering in the wilderness, the liberation from slavery and the joys of reaching the Promised Land by the Israelites. In this “Slave Bible” we do not meet Moses until he is an old man.

Across the entire United States—in colleges, universities and seminaries, slavery was not only tolerated, but defended. There are numerous examples of the institution of slavery being praised as divinely ordained.

It would be blindness on our part not to recognize how the Bible has been used to affirm this system, how people and institutions of faith have used the courtroom as a weapon against the poor.

The sad news is that historically speaking, the church has failed in its response to mass incarceration, just as it has lagged behind in its response to slavery, the HIV epidemic, the plight of women, the issues associated with sexual orientation and other social injustices through the ages.

The good news (and there is always good news) is that we are here today lifting up the voices of people of faith. We recognize that mass incarceration is wrong because it is racially disproportionate, and there is a high collateral cost to the communities and families with the highest incidents as well as the high cost of ineffective jails and prisons to our citizenry, along with the statistical evidence that does not substantiate that imprisonment reduces crime.

Without question there is much work that needs to be done. In the words of Zechariah 7:8–9, “This is what the Lord Almighty said, ‘Administer true justice, show mercy and compassion to one another.’”

Purpose of Incarceration

From the ancient world, we get a glimpse of the ways in which people who frustrated the solemnity and solace of communal life received punishment—and how they were absolved of retribution. Quickly, Barabbas comes to mind. In Barabbas, we find an embodiment of the ultimate conundrum facing our complicated national selfhood. Barabbas, convicted of a crime for which the punishment was murder by hanging, was preferred by the people in his community over the man Jesus Christ. When the option was given to the people to grant one of the men freedom from the punishment that he faced, the crowd chose Barabbas. The result was complete exoneration of Barabbas. Did he deserve it? No. But the people acted in such a way that his freedom was granted.

In that one decision lies a hopeful release from the conundrum facing communities in America, which lives at

the foundation of theological epistemology: grace. Theologically, grace is generally thought to intimate “unmerited favor” or the ability for one to escape the punishment so deserved. The crowd that chose Barabbas, whether intentional or not, granted a man who had been sentenced to death a measure of grace. The motives for this communal response offer people of goodwill the capability of rethinking punishment, conceiving of alternative means of restoration, and creating ways to respond to our complicated selfhood as a nation where crime occurs. **Where harsher punishments are largely ineffective, we need a means to imagine compassionate alternatives.**

For a Muslim, to hear the story of Joseph, told in chapter 12 of the Qur’an, is to ask the all-important questions: Are we punishing difference, rather than actions, and putting the innocent in jail? Do we seek to turn people to repentance, or are we fulfilling our needs for revenge?⁶ Given the fact that our system of criminal justice, more often than one might expect, wrongfully convicts innocent people like was done in the case of Jesus, the mandate is clear: The people must respond with more self-insight and grace. The dispatch of grace in place of exorbitant punitive measures moves all of society toward a kinder, gentler and more truth-filled nation.

Yet the system of U.S. incarceration, even though the grace of rehabilitation often has been claimed as its purpose, has almost never delivered it, especially to persons of color. And efforts at reform and change have been lost in the overarching concern for the security of control. Even when the slave system had been abolished, the 13th Amendment to the Constitution (1865) ensured that those who were “under punishment for a crime” could be subject to “involuntary servitude.”

SIN AND GUILT

Presumed Innocence

The phrase “presumed innocent until proven guilty” expresses a commitment within jurisprudence that extends back to Roman and Islamic law and, in the

United States, is grounded in the 14th Amendment. It also is manifestly not the case in American society. The continuing legacies of racism and classism, combined with overworked and underfunded public defenders offices, the enormous power of prosecutors to shape outcomes even before moving to trial—including by offering limited-time plea deals, the need for DAs to appear “tough on crime” in order to be elected, and an American culture increasingly attracted to retributive forms of punishment, have collectively undermined this longstanding commitment, and in the process undermined the pursuit of justice.⁷

The Abrahamic traditions themselves maintain complex relationships with notions of innocence, guilt and justice. Some, but not all, Christian communions begin with presumptions about original sin that suggest no one is innocent—at least with regard to the existential stain of human sinfulness—even if being sinful and being guilty of criminal behavior are not the same and not all persons are equally culpable for their actions (see, e.g., Romans 3, especially 23ff). There is an early and minor strain within Judaism that recognizes Adam and Eve’s responsibility for humanity’s “fall” into sinfulness, but aside from some branches of Orthodox Judaism, modern Jewish thought rejects the idea, favoring instead the obligation on the part of prosecutors to produce compelling evidence in support of their charges (see, e.g., Deuteronomy 19:15ff). And Islam rejects notions of a fall and original sin, favoring instead a commitment to individual responsibility (see, e.g., *Surah an-Najm*: 38–41 in the Qur’an).

Even attending to the complexity of relations between innocence, sin, guilt and justice within the Abrahamic traditions, and even recognizing the impact of religious perspective (especially Protestant Christianity) in shaping American culture and jurisprudence, it is important to note that all of the Abrahamic traditions found their theological convictions about guilt and innocence in convictions about divine grace, not human sin. Grace initiates creation, celebrates

creation, sacrifices for creation and brings about the salvation of creation. Sin becomes meaningful only within the context of grace and sin escapes coherence only within that context. Grace sets before us the feast that sin disrupts; it extends the invitation to eat that sin refuses; it reminds us of the hunger that sin does not satisfy; it nourishes us with food that sin would steal from the table. **Any culture and any jurisprudential system that presumes guilt, emphasizes punishment and celebrates retribution distorts the convictions of the Abrahamic traditions and must be challenged.**

Burden of Proof on Prosecutors

As Jewish tradition understands it, the burden of proving guilt must be weighty, and rest on the shoulders of the prosecuting witnesses. (They did not have full-time prosecutors in biblical times as we have today.) Toward that end, the codes have strict laws to follow regarding the reliability of a witness (there must be at least two witnesses, of sound mind, above the age of 13, unrelated by blood or marriage to the accused, who can separately corroborate each other's testimony), the role of a witness (the witness has to warn the accused ahead of time that s/he is about to commit a violation of the law and has to try to physically stop the crime, and the accused has to acknowledge having heard the warning and then act anyway), and the identification and guilt of the accused (witnesses could not adjudicate guilt or innocence in their testimony; any person from the public could come and raise a point in favor of the accused, court must be satisfied beyond any doubt as to the identity of the accused or the case could be dismissed) (BT Sanh. 4:5; BT Sanh. 5:1–4; Maim. Yad, BT Sanh. 12:1–3; Tosefta Sanh. 11, 1; BT Sanh. 8b; *Lehem Mishneh*; Edut 5:8; Sanh. 6:1; Rashi, BT Sanh. 42b).

Especially in criminal cases, witnesses were cautioned by the court that they would be rigorously cross-examined, that they must not rely on hearsay or on opinions, and that they must be conscious of their

grave responsibility—since a human life was at stake (BT Sanh. 4:5). And this is the most salient point of all: **Because a life, a quality of life and a good name was at stake, there was no room for error or carelessness. Preserving life is a commandment that trumps all others: “to destroy one life is akin to destroying an entire world.”** (BT Sanh. 37). We must look at our criminal justice system today and ask it to function by centering these principles: 1. Place the burden of proof of guilt even more stringently on the prosecutors; 2. Maintain an awareness that when the courts pass judgment, they pass judgment on an entire world—truly, on generations of the world to come. Perhaps, if guided by these principles, we'd destroy fewer lives and create a system that works to bring more justice to our society.

Forgiveness

Forgiveness between people is a matter of individual choice. But what of forgiveness between a person and the state? How long should that process be? What is the character of finally closing a chapter of discord and being allowed to return to normalcy? Today, that process can take decades, lifetimes and even generations. This theology promotes both swift and fair justice, as well as a clear and quick process back to the normalization of the individual to the state as the individual “turn[s] from [his/her] ways” so that life can resume in its fullness. In society today, we call that process “expungement” or “record restriction,” a legal avenue for someone to have their record wiped clean, at least from public view. While many states provide expungement for those who've committed crimes to resume their lives in their fullness, many states do not or make it so complex that the process might as well be nonexistent. In Luke 6:38, we read: “Give, and it will be given to you. A good measure, pressed down, shaken together and running over, will be poured into your lap.” When we give forgiveness as a society to those who've broken the law, possibly forgiveness will overflow also toward the systems that

have held black and brown bodies in suppressed states for so long.

But our society, as mentioned in previous pages, seems keen on retribution. It reminds us of the story of Jonah from the Bible. As Rabbi Rachel Gartner taught, “Finding forgiveness distasteful, Jonah is furious when God forgives the people of Tarshish. As we read: ‘And God saw that they turned from their evil way; and God repented of the evil which He would do unto them; and He did it not. And this displeased Jonah exceedingly, and he was angry.’ (3:10,4:1).

“If left to Jonah, the people of Tarshish would have paid dearly for their mistakes. In God's wiser hands, a different way prevails.”

Throughout the story, we see that God teaches people that their approaches to the situations at hand are completely misguided. Where Jonah seeks to destroy, God seeks to rehabilitate. **Where Jonah wants to curse and damn, God wants to restore and reconcile. God's way and deepest desire is always to forgive, restore and reconcile. As we read in Ezekiel: “As surely as I live, declares the Lord, I take no pleasure in the death of the wicked, but rather that they turn from their ways and live.”**⁸

ATTENTION MUST BE PAID

The Women's Experience

Sacred texts and traditions provide at best a mixed heritage for considering any issues involving women. While powerful women are present in all sacred texts, from Esther to Priscilla, from Khadijah to Draupadi, the traditions generally portray women's role to be of a lesser and submissive status, subject to strict regulation. The Christian gospels bear witness to a Jesus who engages more directly and even equally with women (e.g., Mary Magdalene, the sisters Mary and Martha in John 12:8, the Syrophenecian woman in Mark 7:24–30). The Pauline letters also bear traces of women leaders in the early church. However, within a few centuries the dominant teachings of church fathers such as Polycarp and Tertullian identified women by their (difficult)

sexuality and developed an evaluation based on a contrast between the primarily “disobedient” Eve and the “obedient” Mary. Women whose sexuality was not contained by virginity and marriage could only be morally evil.

These ideas about women’s subordinate roles and need for purity to restrain “dangerous” female sexualities also have shaped the formation of the U.S. prison system up through the current state of mass incarceration. When prisons first emerged in the late 18th and early 19th centuries, the few women who were arrested were housed with the men, experiencing great sexual abuse. As female prison populations grew, women’s wings emerged with female staff. By the late 19th century, the reformatory movement led to the creation of separate women’s prisons often built in cottage formations supervised by female matrons. Their programming reflected a belief that these women were not irredeemably evil (Eve) but could be taught to be good women so they could become domestic servants, wives and mothers. It is important to note that this reformatory movement almost never included African American women. In the North, black women usually were housed in women’s wings of male prisons, and in the South they worked with men in chain gangs or, later, on prison farms.

By the mid to late ‘70s, separate women’s facilities could be found in every state correctional system. But the gendered patterns of inequality have persisted in complex ways. Often rules are applied uniformly across a system in ways that ignore particular health needs of women or their ongoing role as mothers. Although there has not been enough research, the data collected has made clear that a majority of incarcerated women have experienced sexual and domestic abuse at a higher rate than their male counterparts. Women’s prisons also tend to have fewer resources than men’s institutions.

Over the past years many Christian denominations have committed themselves to support the equal worth of women and their capacity to participate fully in society. **By doing this, they look**

back to both the history of women’s leadership in spite of barriers and to the Jesus who acknowledged and celebrated his anointment by a woman, saying “wherever this good news is proclaimed in the whole world, what she has done will be told in remembrance of her.” (Matthew 26:13).

Locking Up Our Children

While the Bible praises the merits of disciplining a child, the notion of putting juveniles behind bars, separated from family and school, and other forms of educating a child toward becoming a contributing member of society, are an anathema from a religious perspective. Discipline in the Bible is understood to include love, care and learning. This is in stark contrast to the heavy-handed and often heartless discipline dispensed to those children whom we deem expendable. All of this equates to a type of banishment from society, the scarring effects of which combine with so many other barriers they encounter to a life of success and the pursuit of happiness. **The Bible reminds us time and time again: Teach (the Way) to your children.** Children are our future; when we lock them up, we are telling generations of people that they are not worthy of investment, education and care. We are cutting the legs out from under our future. But if we adhere to this theology, and learn to see all children as OUR children, taking the orientation and responsibility to teach instead of punish, we would break the school-to-prison pipeline and work harder to create a soil rich for their growth and success.

Law, Order and Security

The Abrahamic traditions all find a valuable place for law within their moral and theological visions, whether we are talking about the Jewish Torah and Talmud, the Muslim Sharia from both the Qur’an and Hadith, and Christian laws that constrain immoral behavior and help people pursue holiness. Likewise, the Abrahamic traditions have all emphasized the safety and security of the faithful within their moral and theological visions.

Yet even as the Abrahamic traditions have emphasized law and security, they have always insisted that obedience to law and the maintenance of security are means through which they pursue more basic and important goals like the creation of a just and caring society. The pursuit of such a society is, fundamentally, a way that those in the Abrahamic traditions express their faith in God and their commitments to service in the world. **Thus, where obedience to laws and maintenance of security are derived and applied justly, they are to be supported and defended. But where they do not, they must be challenged and revised or overturned. Otherwise, in the name of safety and security, we divide and harm people, thereby becoming both idolatrous and immoral.**

CHANGING THE NARRATIVE

Legally barred from the doors of entry to citizenship, symbolized in the right to vote, and denied access to ladders of opportunity and social upward mobility, those who have served their time in America’s prisons or who plead guilty in exchange for little or no actual prison time are often condemned to eternal social damnation. They are part not of a class, but of a permanent caste system of political pariahs and economic lepers—condemned in a very real sense to check a box on applications for employment and other applications reminiscent of the ancient biblical stigma, “unclean.”⁹

In counterpoint to this overwhelmingly negative narrative about what it means to have been caught in the “system,” Rev. Dr. Harold Dean Trulear tells this anecdote:

“One of my students at Howard University, studying to be a minister, tried to play the shame game with me, talking about how she didn’t like prisoners; they were such horrible people.”

“‘Well, if you don’t like inmates, let me borrow your Bible,’ I said. When she asked why, I told her, ‘We have to take some things out. If you don’t like inmates, we have to get rid of the Book of Genesis, because Joseph was an inmate. If you don’t like inmates,

you have to eliminate the Book of Jeremiah, because he was in solitary confinement. If you don't like inmates, you have to tear out the Book of Daniel, because he was a two-time loser, and Shadrach, Meshach and Abed-nego were on death row. If you don't like inmates, there goes the book of Revelation, since John wrote that while he was locked up. Get rid of First and Second Peter because he got popped, and while the church prayed for him all night long, when he got early release Peter came back to the church and they wouldn't let him in, so things haven't changed. If you don't like inmates, stop saying, 'I can do all things through Christ who strengthens me,' because it was written by an inmate.'"

"Someone tried to point out that those were all 'good people,' incarcerated for their faith. I countered by pointing out that Moses killed an Egyptian, David conspired to have his baby mama's husband murdered, and Paul was an accessory to murder in the killing of Stephen. And Peter would have been killed by police after he attacked one of them when Jesus was arrested. Yet God used them all for positive purposes. And even Jesus died in custody...but his resurrection brings hope and vindication for us all."

In word and deed, Jesus challenged the systems and structures of society (including religious ones) that

forced people to the margins of their communities. He spoke to and ate with people who had been rejected by more "respectable" members of society. Inspired by Jesus and the prophets, as a church we must seek to fulfill our calling to challenge society's injustice. Archbishop Desmond Tutu once said that Christians shouldn't just be pulling people out of the river—we should be going upstream to find out who's pushing them in. Structures and systems that keep people in situations of injustice must be changed. The first step is to see the people affected by mass incarceration as just that: people."

We need to be reminded that the Jesus about whom the church sings behind stained-glass windows while abhorring the actual stains of worldly struggle died an arrested, convicted and condemned criminal. He was an enemy of the empire, of the value system of the empire and a nuisance to the state. Perhaps the bourgeois sensibilities and petty moralistic ethos of the institutional church will never allow it to stand in solidarity with the Jesus who died like those whom the state deemed either dangerous or expendable. In this way, the sentiments of our songs and the passion of our praise betray us because they reveal that it is easier to worship him than it is to follow him. But Jesus said, "follow me."¹⁰

And it's not just Christian and Jewish texts that elevate the words and deeds of one who has been imprisoned. Even the founder of Sikhism, Guru Nanak, was imprisoned by Babur, the founder of the Mughal Empire. When Babur learned that a holy man was incarcerated in one of his jails, he went to visit him personally. Guru Nanak not only secured his own release but that of the other prisoners as well. This account appears in the *Puratan Janamsakhi*, the earliest recorded memories of Guru Nanak's life.

How many holy men and women must be jailed before we realize that the impulse to imprison is both small-minded and reflective of the way we value humans who differ from "us?" Our traditions call out to us: Wake up! Wake up to the injustice of our "justice system." Wake up to our short-sighted views on punishment. Wake up to see a world where we invest in humans instead of divesting them of their rights and freedom. Wake up to a world in which we value each human life as God would have wanted us to: intrinsically worthy and infinitely valuable. We people of faith must wake up from our silent sleep and claim our rightful place as the tip of the spear, to inspire true transformation so the Promised Land will come to us, wherever we are.

ENDNOTES

1 See Gloriana Askew and Gayraud Wilmore, eds. *Reclamation of Black Prisoners: A Challenge to the African American Church, A Book for Individual and Congregational Study* (Atlanta, ITC Press, 1992).

2 Warnock, p. 190.

3 Exodus 3.8 (NRSV)

4 Revelation 21.1 (NRSV)

5 Letter dated Saturday, May 10, 1740. See Frank Lambert, "I Saw the Book Talk: Slave Readings of the First Great Awakening," *Journal of Negro History* 77, no. 4.

6 Excerpted from Hussein Rashid, Founder, ISLAMICATE, LLC and an adjunct professor at Barnard College. Public Square Media Toolkit, *Rikers*.

7 See, e.g., Emily Bazelon, *Charged: The New Movement to Transform American Prosecution and End Mass Incarceration* (New York: Random House, 2019).

8 Excerpted from article by Rabbi Rachel Gartner, *Balak and Solitary: Dealing With Our Desire To Curse Those Who Harm Us*, from the Trumah website: <https://www.truah.org/resources/balak-and-solitary-dealing-with-our-desire-to-curse-those-who-harm-us>.

9 Originally found in the article "Building an Interfaith Movement to Abolish Mass Incarceration" by Rev. Dr. Raphael Warnock, p.4. On the treatment of "unclean," he cites: "See David P. Wright's discussion on 'Unclean and Clean' in the Old Testament and Hans Hubner's discussion of the same topic in the New Testament in *The Anchor Bible Dictionary*, Volume 6 ed. David Noel Freedman (New York: Doubleday, 1992), 729-745. Among the many examples of Jesus's radical confrontation with the religion and politics of uncleanness are Mark 2:15-17 and Luke 15:1-2.

10 Ibid.



Building an Interfaith Movement to Abolish Mass Incarceration

**McCormick Seminary Lecture
Reverend Dr. Raphael Gamaliel Warnock**

Fifty years ago today, Feb. 1, 1968, two Memphis sanitation workers, Echol Cole and Robert Walker, were crushed to death in the back of a sanitation truck where they sought shelter from a storm. They were there because black sanitation workers were prohibited from riding in the truck with their white co-workers. They could only ride on the back of the truck or in the compactor area. So the black bodies of Echol Cole and Robert Walker were literally crushed by the vicious machinery of Jim Crow segregation four years after the passage of the 1964 Civil Rights Act.

It was these crushed black bodies, the latest blow in a long pattern of neglect and abuse, that finally gave fuel to the fledgling Memphis movement, triggering the radical spirit and action of local black churches, producing those iconic “I Am A Man” signs and fatefully drawing unto itself a weary but committed Martin Luther King Jr. A little over two months later, he would be slain by an assassin’s bullet on the balcony of the Lorraine Motel. His last book, published a year earlier, was entitled, *Where Do We Go From Here?: Chaos or Community*. I ask, where indeed? Specifically, 50 years after the poor people’s campaign, where are the places that poor bodies and

black bodies are being crushed by the machinery of the state or the society at large, demanding the attention of the church and the larger faith community? What work in the 21st century would summon the spirit and the sacrifice of Martin Luther King Jr., called upon by so many, as he was by his friends in Memphis in the 20th century?

While recognizing the structural complexity of racism and its inextricable link to and participation with other constituent parts of hegemonic power including sexism, classism and militarism, I would argue that today mass incarceration is Jim Crow’s most obvious descendant—and like its ancestor, its dismantling would represent not only substantive social transformation but immeasurable transvaluative power in a society still bent on worshipping whiteness. I will present the evidence in support of my argument below.

A critical question guiding this inquiry: How is it that American churches—even the black churches, the historical conscience of American churches—and black and womanist theologies, as liberationist theologies, have yet to focus and find their public voice on the one social issue most steeped in the heretical doctrine of

white supremacy? America’s so-called criminal justice system is the one area of the society that is many times more rabidly racist than anything imaginable during the civil rights era, with tragic consequences for black families and black communities.

In some ways, one might well argue that America’s current system of disproportionately sentencing and stigmatizing scores of black people in its so-called war on drugs is as dehumanizing and destructive as slavery itself. As we shall see, both represent, in many cases, a kind of life sentence. Yet so far, the faith churches have not marshaled their institutional and intellectual resources in a way commensurate with the magnitude of this moral and humanitarian crisis. The question is why not?

MASS INCARCERATION: THE NEW JIM CROW

Michelle Alexander has persuasively argued that the mass incarceration of tens of thousands of black men for nonviolent drug-related offenses and the lifelong consequences that result are constituent parts of *The New Jim Crow*. I agree. There is no clearer example of America’s unfinished business with the project of racial justice in a putatively post-racial era than the 21st century caste system engendered by its prison industrial complex. Moreover, I submit that there is no more significant scandal belying the moral credibility and witness of American churches than their conspicuous silence as this human catastrophe has unfolded over the last three decades.

The United States of America is unrivaled in the sheer size and magnitude of its prison population, warehousing about a quarter of the world’s prisoners although Americans only account for about 5 percent of the world’s population. For many years now, prison construction and maintenance, a major economic engine for many small towns and rural communities, has had little or nothing to do with actual crime rates. In all of the large American cities, half of the young black men are caught up somewhere in the matrix and control of the criminal justice system

or hampered in their social mobility or civic participation by the social stigma of a criminal record.¹ Most of them are charged with nonviolent drug-related offenses and are casualties in America's so-called war on drugs. Ironically, having circulated through the criminal justice system and been stigmatized as a convicted felon, they come out only to be confronted with all of the legalized barriers against which Martin Luther King Jr. and those who battled the old Jim Crow fought, including discrimination in housing, employment, voting, some professional licenses, public benefits and student loans.

Legally barred from the doors of entry to citizenship, symbolized in the right to vote, and denied access to ladders of opportunity and social upward mobility, those who have served their time in America's prisons or who plead guilty in exchange for little or no actual prison time are often condemned to eternal social damnation. They are part not of a class but of a permanent caste system of political pariahs and economic lepers, condemned in a very real sense to check a box on applications for employment and other applications reminiscent of the ancient biblical stigma "unclean."² Given the sheer magnitude and broad implications of this assault on black people's humanity and their ability to sustain viable communities, one might characterize the quietude and lack of mobilization in the black churches and among black liberation theologians as something akin to what the latter labeled in an earlier era of the 20th century "the de-radicalization of the black church."³ The truth is black theologians have been no more responsive in the actual content of their critical reflections and work on the prison industrial complex and the mass incarceration sweeping black communities than were conservative, politically disengaged black pastors during the era of lynching and Jim Crow segregation. How does one account for the de-radicalization of black theology and the black church? Dr. King said that "we will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people." Why have

we been so silent on this human rights nightmare unfolding in our midst? Since we do not ourselves face severely repressive tactics of domination and intimidation like lynching, the question is why have we black pastors and black theologians been so silent and disengaged on this issue, which represents for our generation what slavery and Jim Crow segregation represented for earlier generations? I suggest several reasons.

MASS INCARCERATION AND THEOLOGICAL SILENCE

It seems to me that our nation needs an interracial and interfaith coalition of principled people committed to the hard work of abolishing mass incarceration, the new (and improved) Jim Crow. But while arguing for this, I must admit that so far neither the black church nor black theology has put forth a clear theological voice and moral witness on the subject of mass incarceration and its human rights implications in the 21st century. To be sure, scores of black churches have prison ministries, and some even have reclamation ministries for formerly incarcerated individuals.⁴ But there is a vast difference between offering pastoral care and spiritual guidance to the incarcerated and formerly incarcerated and challenging the public policies, laws and policing practices that lead to the disproportionate incarceration of people of color in the first place. The relative absence of an interfaith movement addressing itself to the glaring political contradictions of mass incarceration can be attributed to: 1. A sharp emphasis upon privatistic piety; 2. The social and moral stigma attached to the issues of crime, the drug trade and those involved; and 3. The need for an intentional pastoral ministry that understands the difference between charity and justice.

Privatistic Piety

The black church is—for reasons of history and theology—a church with a divided mind.⁵ Shaped by the evangelical fervor of the period of the Great Awakening and other similar revivalistic movements, its proclamation has posited the theological sensibilities of

a profoundly *privatistic piety*, emphasizing the freedom of the individual soul. On the other hand, because it was formed within the context of the American slavocracy and born fighting for freedom, the black church also has embodied in its proclamation and demonstrated through its praxis a prominent theme of *political protest* aimed at the biblical view of salvation as deliverance into a "good and broad land,"⁶ "a new heaven and a new earth."⁷ Put another way, black churches have addressed their ministries both to *the slavery of sin* and *the sin of slavery*. To be sure, in the broad sweep of black church history, both themes are present and prominent, sometimes complementing and at other times competing with one another for dominance as the black church wrestles through the dilemmas and double-consciousness of its own identity and sense of mission.

Yet because the soteriological imagination of American churches has tended to be largely individualistic in a way that mirrors the culture itself, and because black churches have not been sufficiently self-reflective about the theological meaning of their own distinctive history and liberationist heritage of radical protest, a privatistic piety emphasizing the salvation of individual souls while eschewing the hard political work of transforming the society tends to be the default position, even for black churches. Because it too is a largely evangelical church, it is not too difficult to see how the black church, caught up in the unexamined political presuppositions of the American evangelical ethos, can become self-alienated from its own liberationist legacy. Moreover, with the increasing middle-class upward mobility of much of its membership in the decades after the civil rights movement, increasing alienation from the black church's revolutionary sensibilities risks becoming wholesale abandonment of the work of freedom fighting as even relevant to its Christian identity and praxis. Amidst the serenity and "safety" of the sanctuaries of our churches, the focus is upon *souls alone* because the endangered black bodies warehoused

in America's prison industrial complex, unlike those oppressed during the era of Jim Crow segregation, are both out of sight and out of mind.

Yet this kind of truncated view of salvation has always been dangerous, particularly for oppressed people. Its tragic political implications can be clearly seen in a letter written by George Whitefield, a prominent preacher during the first Great Awakening and a fierce advocate of saving the souls of slaves while keeping their bodies in physical bondage. He gloats that “near (sic) 50 negroes came to give me thanks for what God had done to their souls...I believe masters and mistresses will shortly see that Christianity will not make their negroes worse slaves.”⁸ To the contrary, African American Christians resisted this truncated view of salvation, embracing instead a view of divine liberation both from the slavery of sin *and* the sin of slavery. Evidenced in the spirituals, the prominence and distinctive hermeneutical deployment of the “exodus motif,” subversive survival ethics like “puttin’ on ol’ massa” and other elements of the slave tradition is an oppositional piety whose distance from that expressed by Whitefield was “wide and deep,” representing what Dwight Hopkins calls “the co-constitution of the black self” under the divine aegis of a God who wills human freedom.

African American slaves rightly understood that a narrow individualistic conception of Christian salvation and personal piety could never provide an effective moral response to slavery. Their descendants, indeed all freedom-loving people, should know that such a distorted piety can never adequately address itself to the systemic injustices of America's prison industrial complex, in many ways a postmodern mutation of the same white supremacist logic that gave birth to slavery and Jim Crow segregation. But if the privatistic piety of the churches presents a theological barrier, it is further complicated by the moral and social stigma attached to inmates, particularly the guilty, and the ethical dilemmas and complexities therein.

Stigma

Given the investments of corporate and political interests in the colossal public policy failure that is mass incarceration, it is clear that nothing short of a massive and sustained movement will undo it and move the nation in a different direction. But how do you build an effective social movement, particularly among churchpersons, when the primary subjects of its advocacy are those stigmatized by the label “convicted felon”? It is one thing to stand up for Rosa Parks, whom Martin Luther King Jr. called “one of the most respected people in the Negro community.”⁹ It is quite another to fight for the basic human dignity of persons whose individual behavior may well be deplorable and who bear some culpability for their condition. Indeed, this is part of the conundrum posed by racial bias in the criminal justice system. In a world where ordinary black people must still navigate every day the racial politics of respectability, bearing the burden of being, in the words of that old folk saying, “a credit to the race,” those who find themselves caught up in the criminal justice system have not kept their side of the deal. If many outside the African American community view these young black men who track through the courtrooms of every major American city every single day with fear and contempt, many within their own families and churches harbor feelings of disappointment, anger and ambivalence. They are the ultimate outsiders, stigmatized as both “black” and “criminal,” two words that have long been interchangeable in the Western moral imagination.

The historical interchangeability of the two is ironically and tragically embodied in the fact that even upon release from prison, many of the same discriminations suffered upon black people during segregation are the life-long lot of convicted felons, including discrimination in employment, housing and voting. No matter how long ago the crime occurred or what heroic efforts may have been put forth to achieve personal redemption, they are reminded each time they are presented with an application for employment or other paths of inclusion into the

marketplace of the “black” mark that hangs over their lives. This is eternal social damnation.

But no group is more stigmatized than those persons on death row. After years of steady decline and presumptive death by many criminologists, the death penalty re-emerged as part of a conservative backlash in the years immediately following the civil rights movement. In a real sense, it is the final fail-safe of white supremacy, for the data clearly show that its use ensures that, in the final analysis, the lives of white people are to be regarded as more valuable than the lives of black people. That is why the race of the victim, more than anything else, determines the likelihood that the punishment will be death by execution.¹⁰ And if the victim is white and the presumed perpetrator is African American, the symbolic power of condemning that cardinal trespass is every bit as important as ensuring that the actual African American who committed the offense is executed. That that is still true decades after the era of lynching became exceedingly clear to me a few years ago during my public advocacy for death row inmate Troy Davis.

By the time I met Troy Davis and became involved with his case, both as pastor to him and his family and as a public advocate for the sparing of his life, he had been on death row for nearly 20 years, convicted in 1991 for the 1989 slaying of Savannah, Georgia police officer Mark Allan MacPhail. It was 2008 and we held the first of several rallies for him at Atlanta's historic Ebenezer Baptist Church, where I serve as senior pastor.¹¹

Davis's case had already gained national and international attention and brought together unlikely allies in the struggle to save his life. It embodied so clearly all that is wrong with America's deployment of the death penalty that even death penalty proponents, like William Sessions, the former head of the FBI, and Bob Barr, a conservative Georgia congressman, stood in agreement with liberals like President Jimmy Carter and Rep. John Lewis *against* the execution of Troy Davis. The trial provided no physical

evidence in support of Davis's conviction. No murder weapon, DNA evidence or surveillance tapes were ever produced, and in a trial based largely on witness testimony, seven of the nine witnesses supporting the prosecution's case recanted or materially changed their testimony. On three separate occasions, Davis's execution was stayed within minutes of his death. Finally, I stood in a prison yard with his family and hundreds of others one fall night—Sept. 21, 2011—as Troy Davis was stretched out and strapped to a gurney, bearing an eerie resemblance to a crucifix, and executed in my name, as a citizen of the State of Georgia, by lethal injection.

In the years that I have continued to fight for Davis and others like him, for the soul of a nation scarred by deep contradictions in the criminal justice system and for the lives of young black men like Trayvon Martin, who was tragically endangered and murdered by the stigma of blackness as criminality, I have often reminded myself that I preach each week in memory of a death row inmate convicted on trumped-up charges at the behest of religious authorities and executed by the state without the benefit of due process. The cross, the Roman Empire's method of execution reserved for subversives, is a symbol of stigma and shame. Yet the early followers of Jesus embraced the scandal of the cross, calling it the power of God. To tell that story is to tell the story of stigmatized human beings. To embrace the cross is to bear witness to the truth and power of God subverting human assumptions about truth and power, pointing beyond the tragic limits of a given moment toward the promise of the resurrection. It is to see what an imprisoned exile of a persecuted community saw as he captured in scripture the vision and hope of “a new heaven and a new earth.” But in order to do that, faith communities must be much more intentional about implementing a vision of ministry that understands the difference between charity and justice.

Charity and Justice

Charity feeds the hungry. Justice asks, “Why are people hungry in the first

place?” Charity, to use Bonhoeffer's language, picks up and bandages the victims crushed under the wheel of the state. Justice puts a spoke in the wheel, gets the mad man off the streets. We need an interfaith movement that begins to imagine what this might look like.

Last year, my church organized and hosted, on two separate Saturdays, an expungement event. We convened and expunged 1,000 criminal arrest records. I am told that similar events have been held in Cook County. Everybody in church that day had a record.

I was at the barbershop when a man approached me. We expunged his record. The district attorney called and wants to introduce legislation to expand the numbers of people qualified for an expungement. I am glad. And I am mad.

Cash bail. Mother's Day and Father's Day cash bail. Most Americans believe that here you are innocent until proven guilty. Yet due often to lack of money and nothing else, hundreds of thousands of Americans are actually living a reality that is the reverse. They are guilty until proven innocent. Detained sometimes months and even years, not on the basis of an assessment of their danger to society but solely on the basis of their inability to pay. And even if they are proven innocent and acquitted of all charges, many are still guilty inasmuch as they are barred from access to gainful employment and other marks of citizenship due to an arrest record that never quite goes away. With every door to redemption and a dignified path to citizenship closed, it is not surprising that the world's oldest democracy has persisted decade after decade as an insatiable, bulging carceral state that routinely crushes and consumes black, brown and poor white trash in the compactor of its criminal justice system.

That's why we are hosting, this year, a conference focused on building an interfaith movement to end mass incarceration. We need to be reminded that the Jesus about whom the church sings behind stained-glass windows while abhorring the actual stains of worldly struggle died an arrested, convicted and condemned criminal. He was an

enemy of the empire, of the value system of the empire, and a nuisance to the state. Perhaps the bourgeois sensibilities and petty moralistic ethos of the institutional church will never allow it to stand in solidarity with the Jesus who died like those whom the state deemed either dangerous or expendable. In this way, the sentiments of our songs and the passion of our praise betray us because they reveal that it is easier to worship him than it is to follow him. But Jesus said, “follow me.”

Meanwhile, black bodies, like those of the sanitation workers 50 years ago, are once again quite literally trapped at the center of what Gunnar Myrdal characterized in 1944 as “the American Dilemma.”¹² Viewed essentially as a problem, formerly enslaved black bodies and lynched black bodies and segregated black bodies are now stopped, frisked, searched, handcuffed, incarcerated, executed, paroled, probated, released but never emancipated black bodies. There is no more important test to the character of the American churches in general, and black churches and black theology in particular, given their self-understanding and liberationist claims, than their response to this human rights nightmare unfolding on our watch.

If white theologians, pastors and the churches they serve will not lend their voices to the struggle of dismantling the prison industrial complex, they will have proven that they are every bit as invested in the logic and privilege of white supremacy as their predecessors in the eras of chattel slavery and Jim Crow segregation. But if black theology and the black church will not give themselves over to this newest incarnation of the struggle to save black bodies, they will have lost their soul and reason for being. And if that is true, both deserve to die. That is why it is urgent that black and womanist theologians and black pastors convene a new conversation and commence a new moment of risk-taking dialogue and praxis so a new and militant church preaching “deliverance to the captives” might be born again. Their lives and the soul of the nation depend on it.

ENDNOTES

- 1 Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, (New York: New Press, 2010), p. 16.
- 2 See David P. Wright's discussion on "Unclean and Clean" in the Old Testament and Hans Hubner's discussion of the same topic in the New Testament in *The Anchor Bible Dictionary, Volume 6* ed. David Noel Freedman (New York: Doubleday, 1992), 729-745. Among the many examples of Jesus's radical confrontation with the religion and politics of uncleanness are Mark 2: 15-17 & Luke 15:1-2.
- 3 See Gayraud Wilmore's chapter entitled, "The De-Radicalization of the Black Church" in his text, *Black Religion and Black Radicalism: An Interpretation of the Religious History of Afro-American People*, Third Edition (Maryknoll: Orbis Books, 1983).
- 4 See Gloria Askew & Gayraud Wilmore eds. *Reclamation of Black Prisoners: A Challenge to the African American Church, A Book for Individual and Congregational Study* (Atlanta, ITC Press, 1992).
- 5 Warnock, p. 190.
- 6 Exodus 3.8 (NRSV)
- 7 Revelation 21.1 (NRSV)
- 8 Letter dated Saturday, May 10, 1740. See Frank Lambert, "I Saw the Book Talk: Slave Readings of the First Great Awakening," *Journal of Negro History* 77, no. 4.
- 9 Martin Luther King, Jr., *Stride Toward Freedom: The Montgomery Story*, (San Francisco, Harper & Row, 1958), p. 44.
- 10 See Dale S. Recinella's *The Biblical Truth About America's Death Penalty*, (Boston, Northeastern University Press, 2004), chapter 18.
- 11 Jen Marlowe and Martina Davis-Correia with Troy Anthony Davis, *I Am Troy Davis* (Chicago: Haymarket Books, 2013).
- 12 Gunnar Myrdal, *An American Dilemma: The Negro Problem and Modern Democracy*. Black and African-American Studies, (New Brunswick, NJ: Transaction, 1996 [1944]).



Bring out the Prisoners

Dr. Teresa Smallwood

Industry is the mode of production that catapulted textile manufacturing, and later steel and coal—products of the Industrial Revolution. During the Industrial Revolution, the technology of mass production offered our capitalist economy an opportunity for exponential growth. That growth potential has now morphed into a prison industrial complex, in which the bodies of caged human beings serve as the commodity by which the industry thrives—the rich get richer and the poor get poorer. The very concept of industry as applied to caged bodies seems almost barbaric. And yet, “for the love of money,” the American economy, through its avarice and stealth designed by governmental accomplices, reached the pinnacle of profit last year. The private prison industrial complex generated \$4.8 billion, with profits of \$629 million.¹

But private industry is not the only malefactor. State and local governments enjoy the lion’s share of profits from caged bodies. This shameful truth gets even worse: State and local municipalities have found a way to use the bodies of caged individuals through census data to draw district lines for elected offices. In some jurisdictions, such as Nashville, Tennessee, the persons elected to Metro Council in several of Nashville’s districts have between 58.7 percent to 87.6 percent of their “constituents” caged in a jail cell. This means that in the latter instance, only 12.4 percent of that councilperson’s constituency is actually free to vote. The rest are placeholders, sitting in a jail cell—human beings who are simply counted to set district lines but who have no voice, no vote, no vested interest in that official’s performance, accountability or service incentive. Consequently, the governmental interest in keeping a large swath of its population caged serves a dual purpose: control of the municipal cache and unbridled discretion to spend on extravagances that render opaque the needs of the masses.

A system of government that will cage its people before it will clothe its people is a system out of control. When a system is so far out of control that the measurement of profit blinds governmental actors from making humane decisions, the result is overpopulation in the prison system. That is the state of affairs we call mass incarceration. It cannot be fixed from within. There is a need for a reassessment, a process re-engineering. The governmental apparatus is fraught. It cannot administer justice because it is inherently

unjust. It operates solely and unequivocally off the numbers. The phenomenon is so corrupt that it produces judicial officials who will take bribes to fill prisons because bodies generate profits.² To call the enterprise a reiteration of slavery or *The New Jim Crow* evidences the depravity, the utter disregard for human flourishing that characterizes the chaos that Rev. Dr. Martin Luther King Jr. referred to in his final manuscript, *Where Do We Go from Here: Chaos or Community?* In 1967, Dr. King pondered the very real threats to democracy. His question rings true today. It forces us to ponder, to count up the cost. Which way shall we go? He concluded 50 years ago:

This is no time for romantic illusions and empty philosophical debates about freedom. This is a time for action. What is needed is a strategy for change, a tactical program that will bring the Negro into the mainstream of American life as quickly as possible. So far, this has only been offered by the nonviolent movement. Without recognizing this we will end up with solutions that don’t solve, answers that don’t answer and explanations that don’t explain.³

That so accurately sums up the socioeconomic condition of the world: solutions that don’t solve, answers that don’t answer and explanations that don’t explain. America has known for quite some time, based upon hard scientific evidence, that incarceration serves no purpose save the removal of persons from society. It does not rehabilitate, it does not serve justice to victims, it does not deter future criminal behavior.

Dr. King felt the weight of a reality that is all too familiar to us in the here and now. He was wrestling with the fact that the movement had exposed a void in the American moral character. Acts of brutality against nonviolent resistance, the use of the legal system to shield those acts of violence, the constant deluge of vitriolic rhetoric hurled at innocent men, women and children for simply dreaming of and forging the way to a better day, all converged upon him as he considered, “Where do we go from here?” He saw an America that was profoundly hypocritical in its pronouncements about “freedom and justice for all.” In 1787, the preamble to the American Constitution declared:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

But in 1967, Dr. King found little evidence that America truly embraced the ideals for which it purportedly ordered its democracy. And so he pondered a very real existential crisis “that we must honestly face the fact that the movement must address itself to the question of **restructuring** the whole of American society” (emphasis added). Restructuring the whole of American society suggests that Dr. King saw chaos all around him. In fact, as he mediated the ethical dilemmas,

he posed several probative questions that I find relevant for us in this present moment. He asked rather poignantly:

Why are there 40 million poor people in America? And when you begin to ask that question, you are raising a question about the economic system, about a broader distribution of wealth. When you ask that question, you begin to question the capitalistic economy. And I'm simply saying that more and more, we've got to begin to ask questions about the whole society. We are called upon to help the discouraged beggars in life's marketplace. But one day we must come to see that an edifice which produces beggars needs restructuring. It means that questions must be raised. And you see, my friends, when you deal with this you begin to ask the question, "Who owns the oil?" You begin to ask the question, "Who owns the iron ore?" You begin to ask the question, "Why is it that people have to pay water bills in a world that's two-thirds water?"⁴

Today, we must ask the question, "Why is it that people who pay water bills draw water from contaminated sources due to insufficient water treatment?" Lead-laced water by governmental complicity pumped into homes where children, mothers and fathers were drinking it for years. It only came to light in 2014 when the 40 percent black, impoverished city of Flint, Michigan began to reveal high blood lead levels in children, adding the potential for learning disabilities and mental retardation. King's question remains probative.

Chaos. It connotes a condition or perhaps a behavior so unpredictable as to appear random. In Greek mythology and philosophy, chaos conjures up centuries of cosmogonic studies about the origins of the universe. Many theories have been authored. There are creation myths from various religious traditions, the theory of evolution, the astrophysical theories, the big bang theory, the nebular hypothesis, the planetesimal hypothesis and many others. In all of the theoretical, the philosophical, there is little doubt that **chaos** is a *thing*. Dr. King petitioned American society with prophetic urgency to see the folly of its projections and to rethink the ideal of democracy for the greater good. What we know is that in the 50 years since his death, the number of people living in poverty has increased from 40 million to 45 million, according to the U.S. Census Bureau. Incarceration is the culprit.

Modernity's panopticon—the surveilling eye—presents itself in the postmodern context as the protracted, super-masculine power of the nation-state spiraling out of control. Proliferating and propagating fiction versus truth, the nation-state of postmodernity manufactures social control through selective truth. America's criminal justice system evolved from this frame. Its prophecy is bondage. Its historical genealogy suggests, in the words of Stuart Hall, "what is at issue here is the foundation of truth that science has performed within modern cultural systems from the 18th century onward."⁵ That foundation pushes some human beings into the shadows of existence while others flourish in the citadels of greed.

The rate of incarceration produced by the American criminal justice system far exceeds that of any other nation. We hold 5 percent of the world's population and 25 percent of the world's incarcerated—a statistic well documented by the U.S. Bureau of Justice Statistics. In October 2013, the rate was 716 per 100,000. Incarceration rates have increased steadily since 1924; now they include more women and girls. Again, I argue: A nation that will cage its people before it will clothe its people is a nation in chaos. Mass incarceration, therefore, signifies the complex nature of existence for the incarcerated well beyond the period of incarceration. The formerly incarcerated, their families and communities are never ever free from incarceration; they are severely impoverished, politically disenfranchised and reduced to perpetual existential crisis.

Who challenges the false prophecy of a carceral nation-state? What interventions must be employed to foster liberation for those condemned by a nation-state obsessed with itself and oblivious to the common interest of the people? The prophet Isaiah, in chapter 42, suggests it is those who listen to the voices of the marginalized; those who are attentive to the cry of the children; those who will not be silent in the face of multiple sites of suffering at the hands of the carceral nation-state; those who can envision, articulate and codify hope for a people in chaos. The prophet records a mandate from God:

I am the Lord, I have called you in righteousness, I have taken you by the hand and kept you; I have given you as a covenant to the people, a light to the nations, to open the eyes that are blind, to bring out the prisoners from the dungeon, from the prison those who sit in darkness.⁶

ENDNOTES

1 Industry Market Research Report, *IBISWorld*, "Correctional Facilities Industry in the US," retrieved Feb. 25, 2019 from <https://www.ibisworld.com/industry-trends/market-research-reports/administration-business-support-waste-management-services/administrative/correctional-facilities.html>.

2 Walter Pavlo, "Pennsylvania Judge Gets 'Life Sentence' for Prison Kickback Scheme," *Forbes*, retrieved Feb. 25, 2019 from <https://www.forbes.com/sites/walterpavlo/2011/08/12/pennsylvania-judge-gets-life-sentence-for-prison-kickback-scheme/#2c1467e4aef0>.

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4 Excerpt from Dr. Martin Luther King Jr.'s speech "Where Do We Go from Here?" Delivered at the 11th Annual SCLC Convention, Atlanta, Georgia, Aug. 16, 1967, retrieved Feb. 25, 2019 from <https://www.plough.com/en/topics/justice/social-justice/where-do-we-go-from-here>.

5 Stuart Hall, *The Fateful Triangle: Race, Ethnicity, Nation*, Kobena Mercer, ed., (Harvard University Press: MA, 2017), 56.

6 Is. 42: 6-7, NRSV.



A Personal Reflection

Rev. Dr. Hector B. Custodio (Pastor Benny)

I'm often asked: "We talk about the problem and NEVER talk about the solution. Tell us or point us in the right direction to do something about this issue of mass incarceration."

As a preacher and person who was previously incarcerated, here are my thoughts. The penal system in the United States is in crisis. Prisons are overflowing, inmates are routinely dehumanized, and marginalized and impoverished communities make up the majority of the prison population. Having spent 20 years within the system as a wrongly convicted prisoner, I am uniquely placed to offer both critique and constructive guidelines for future change. There are too many nonviolent and victimless offenders in the jail system in the U.S., which causes pain for individuals, families, communities and taxpayers. Overcrowding, underfunding and nonexistent educational programs are some of the side effects of the country's jails. When nonviolent offenders are in extended prison terms in these environments, they are not being rehabilitated; they are being merely stored away as lepers in society. The criminal system is broken and has been for a long time, but fixing the problems requires acknowledgement that there is a problem or that jails are suffering from an organizational state of dysfunction. Until the public and policymakers see that the system is in pain, there will never be an end to it. Policymakers are merely abiding by the "we've always done things this way" approach.

For the criminal justice system, pain stems from an inability to make changes to a system that does not work. The pattern of locking up thousands of nonviolent inmates for extended prison sentences is costing

taxpayers tens of millions of dollars annually, and the result does not show that it is curbing crime. Instead of building more jails, hiring more corrections officers, giving long prison terms, and making it difficult for inmates to get probation, the best solution may be the simplest one. This involves a proactive approach, giving inmates who have not committed violent and serious offenses educational opportunities, training and ongoing support. It should not involve locking them in a system where they may struggle to readjust to life afterward, since the ongoing high number of prison inmates proves that it does not work. Making changes to jails will involve what seem to be insurmountable obstacles. As leaders, we need to show that we should fear not change, but the consequences of fearing change.

Leaders should be able to empathize, care, relate and be honest, even when faced with sensitive situations. Some people who suffer from chronic pain may not know how to live without pain because all they have known is pain. When pain is the only thing known, how does one recognize pain, acknowledge that it actually exists, and make a plan to move out of it? Because I have firsthand experience of being jailed in America's broken system of corrections, I feel I know where the changes need to occur. I experienced pain to a great degree because of the criminal justice system and the United States' incarceration laws. As an individual who has transitioned out of the corrections system, I have spent my years since moving forward and have opened my own church in an effort to help others who are in similar pain.

Many leaders have stood against this system of justice, but those who

are in power are resistant to change. The guards who run the jails, the people in charge of allocating funding and the citizens of this country resist change when it comes to prisons. There is a lack of courage in these groups to make changes, as change creates fear. Fear of losing jobs, of safety, of doing something different and essentially of what is unknown can be reasons why people are hesitant to adapt. Even released inmates see change as fearsome, which can send them back down the wrong path, reverting to familiar patterns and behaviors even though they are unlawful. As leaders, we can advise those people that change is needed to move forward, and when facing fear, one can turn it into courage. Change can be something positive.

How can the houses of worship take a proactive approach with our formerly incarcerated?

First, we need to focus on language: "Inmate." "Formerly incarcerated." "Felon." It's imperative that we change the cultural mindset because the aforementioned words strip us of our humanity. Christianity in particular must account for a painful history—a history of willful bloodshed that has been theologically justified. There is a disconnect between faith commitment and the institution of politics, and a striking disparity between the religious foundations of law and the punishment now practiced. It is disturbing that faith communities have not united in response to the existing crisis in the prison industrial complex. This observation is motivated by the silence of most religious institutions and the inadequacy of current prison ministry. Ministry programs need to be implemented to effectively transform individual lives, communities in need and the penal system at large.

There is an ongoing discourse to determine whether punishment should function as a means for rehabilitation or retribution; if it is to operate for utilitarian purposes or deterrence; and whether its purpose is to be retrospective or prospective. Based on my experience, I believe the current penal system has no positive aim. I believe we can transform the criminal

justice system from one that seeks vengeance to one that restores by focusing on how different approaches to punishment can heal instead of harm. Restorative justice is a developing social movement that works to institutionalize nonviolent resolutions to criminal and human rights violations.

This goal can be attained when the person who joins the religious ministry in prison and follows the steps outlined in the program gains the desire to approach those they have wronged to seek forgiveness and to move on. By taking the first steps in the prison ministry and finding a way to actively pursue betterment in their own lives, the returning citizens will be able to present themselves as penitent individuals. They will be willing to meet and discuss circumstances to provide closure and even provide some form of compensation as a means of righting the wrong they have done. Of course, this concept must be broad in its initiative because a variety of criminal acts require various forms of meetings with the injured party. Overall, though, the prison ministry will provide a valuable framework for connecting criminals to the community so they can improve the lives of people they once harmed.

Presently, in most states, people with felony convictions are prohibited from obtaining over 100 professional licenses. Yet education is one of the major factors proven to significantly reduce the rate of recidivism. Subsequently, a form of higher education for people who are incarcerated can be a way to restart individual lives and to challenge a misguided theology. If the intended objectives of the prison industrial complex and education were meant to help a person successfully reintegrate back into society, then why are people with felony convictions prohibited from obtaining professional licenses? For instance, in New York, people with criminal convictions cannot apply for a license to be a plumber, electrician or a barber while on parole. How are we who have served time in prison and those who continue to do so going to successfully re-enter society if we cannot find employment in the field we learned while incarcerated?

How will recidivism decrease if we cannot secure employment, support our families and participate in a positive way in the civic, social and political life of our communities, especially in these tough economic times? When does the punishment really end, if it really ever does? These questions imply that individual transformation, through education in prison, coupled with the application of restorative justice (in communities that are most affected by crime and punishment), must also be coupled with broader restorative policies. How can we educate and mobilize faith-based communities to develop effective prison ministry programs that attend to the importance of individual transformation and community restoration, as well as the importance of systemic change?

The moment that a person makes the transformation from prisoner to citizen is incredibly significant. After all, the person now has to find a home and a job, make connections and secure transportation. A prison ministry has the power to ease this burden and make the process of reintegration less risky for the returning citizen. There have been several different approaches to this issue that other ministries have utilized, which can serve as a guide for prison ministries. The first way a prison ministry can reduce the chance of recidivism is by providing housing to former inmates, which enables them to succeed at reintegrating. Helping those in a prison ministry locate another source of religious support outside of the prison, such as a church, also has been shown to prevent recidivism. Therefore, houses of worship should adopt a “returning citizen.”



Multifaith Organizational Resources

The Multifaith Movement to End Mass Incarceration aims to build on, bring together and amplify the work of many faith-based organizations that are already engaged in the work of ending mass incarceration.

They have created resources for congregational learning as well as examples of action that you might find useful as you consider how your congregation can become involved in criminal justice reform. You will find many additional resources, including national criminal justice reform organizations and groups working with a regional or issue focus, throughout the toolkit.

- ▶ **American Friends Service Committee** has fact sheets, videos and reporting on focus areas such as ending [mass incarceration](#), stopping [prison privatization](#) and eliminating [solitary confinement](#). They also offer [5 things your congregation](#) can do to support criminal justice reform.
- ▶ **Catholic Charities USA** allows you to search for national legislation focused on criminal justice issues through their [action center](#).
- ▶ **Christian Community Development Association** provides resources on [mass incarceration](#) and a [Reel Justice toolkit](#) with film recommendations, suggested agendas and discussion ideas useful for starting an education campaign in your congregation.
- ▶ **The Christian Reformed Church** developed a [comprehensive manual](#) for congregations looking to develop prison ministry programs. Their [Biblical Advocacy 101](#) document also has advocacy advice and tips to communicate with your members of Congress.
- ▶ **The Evangelical Covenant Church** adopted a [criminal justice resolution](#) and created an accompanying [discussion guide](#) to help engage congregations.
- ▶ **Exodus Foundation** offers assistance to formerly incarcerated people, including [mentorship and scholarship programs](#).
- ▶ **Faith In Action**, formerly known as the PICO National Network, has [local federations](#) in many states that your congregation can join, with focus areas including [mass incarceration](#) and [voting rights](#).
- ▶ **Friends Committee of National Legislation** has news, analysis and “legislative asks” on [criminal justice issues](#).
- ▶ **Inner-City Muslim Action Network** offers [vocational training and transitional housing](#) in Atlanta and Chicago for returning citizens and high-risk youth.
- ▶ **Jewish Council for Public Affairs** offers a comprehensive toolkit, [In Your Backyard](#), for addressing criminal justice reform locally.
- ▶ **Justice Not Jails**, a program of the California-based Interfaith Movement for Human Integrity, offers a seven-part [adult study curriculum](#) on mass incarceration, which includes a facilitator’s guide, powerpoint presentations and handouts for congregations.
- ▶ **Metro IAF** has issue briefs on organizing for [mental health and youth support](#) in the criminal justice systems, as well as examples of [reform success stories](#).
- ▶ **National Action Network** has many [local chapters](#) around the country that focus on criminal justice reform and [livestream events](#) that you can watch online.

- ▶ **National Religious Campaign Against Torture** works to end solitary confinement and promotes restorative alternatives. It provides information on [federal legislation](#) and ongoing [state campaigns](#) focused on ending solitary confinement.
- ▶ **Prison Fellowship** offers [educational programs](#) for people who are incarcerated, assistance for [their children](#), mentorships to [help with reentry](#), and a comprehensive list of links to [restorative justice programs](#) in your state.
- ▶ **Religious Action Center for Reform Judaism** has detailed [congregational guides](#) for lay leaders, clergy and other staff managing social action programming, as well as an [advocacy section](#) devoted to criminal justice reform.
- ▶ **Sojourners** publishes articles and produces videos on a number of [racial justice](#) issues, including criminal justice reform.
- ▶ **Strengthening the Black Church for the 21st Century** is a program designed to assist United Methodist churches with predominantly black congregations become effective in mission and ministry. See information on their [prison ministry program](#).
- ▶ **T'ruah** offers a comprehensive handbook for Jewish communities working to [fight mass incarceration](#) and [ways to advocate](#) for change.
- ▶ **United Church of Christ** has [extensive resources](#) for individuals who want to learn about our criminal justice system and take action.
- ▶ **Unitarian Universalist Association** offers a [variety of guiding documents](#) to help congregational leaders learn how to build a justice ministry, partner with others and take action.
- ▶ **U.S. Council of Muslim Organizations** runs a national [voter registration drive](#) ahead of national political elections.

Criminal Justice Issues & Resources

- ▶ Key Definitions
- ▶ Key Facts
- ▶ Criminal Justice 101
- ▶ Words Matter
- ▶ On Language: An Open Letter from Eddie Ellis
- ▶ *Washington Post* Op-Ed — Justice Department Policy
- ▶ For Congregational Education — Movies & Books
- ▶ Criminal Justice Reform Organizations



Key Definitions

Statistics on mass incarceration include people held in both jail and prison. They are not the same.

JAIL

Jails are short-term facilities that usually are administered by a local law-enforcement agency. People may be held in jail pending bail or pending a trial. It is important to note that these people are presumed innocent. Some of the people in jail are awaiting sentencing or transfer to other facilities after a conviction. They also may be in jail serving a sentence of less than one year.

PRISON

Prisons are longer-term facilities run by a state or by the federal government. Prisons typically hold people convicted of a felony and persons with sentences of more than a year.

In addition to jail and prison, correctional supervision also includes people on parole or probation.

PAROLE

Parole is a conditional release from prison to serve the remaining portion of a sentence in the community. Failure to comply with the conditions of parole can result in a return to incarceration. Parole officers enforce the terms of parole, including checking that people on parole are conforming to curfew limits, drug testing and other mandated requirements.

PROBATION

Probation is generally mandated in lieu of incarceration and refers to community supervision through a probation agency. However, some jurisdictions sentence probationers to a combined short-term incarceration sentence immediately followed by probation, which is referred to as a split sentence. Failure to comply with the conditions of probation can result in incarceration.

GOALS OF FOUR TYPES OF JUSTICE *

RETRIBUTIVE

- ▶ Punish someone who has done something wrong.
- ▶ Make other people think twice about doing the same wrong.
- ▶ Prevent the person from doing other things wrong.

RESTORATIVE

- ▶ A person who has caused harm to others takes responsibility for it.
- ▶ Repair the harm done to someone.
- ▶ Rebuild relationships between someone who has done harm and the people harmed.

PROCEDURAL

- ▶ Ensure an equally fair process for everyone involved, no matter how rich or poor, powerful or unimportant they are.
- ▶ As long as the process is trustworthy, it matters less what the end result is.

DISTRIBUTIVE

- ▶ Provide for the diverse needs of everyone in a society by distributing resources fairly.

* CREDIT: [HANDBOOK FOR JEWISH COMMUNITIES FIGHTING MASS INCARCERATION PRODUCED BY T'RUAH](#)



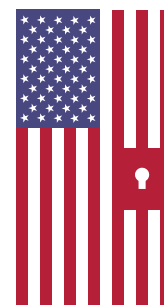
Key Facts

2.2 MILLION

people are in
prison or jail in
the United States.

6.7 MILLION

people are under correctional
supervision—including
incarceration, probation & parole.



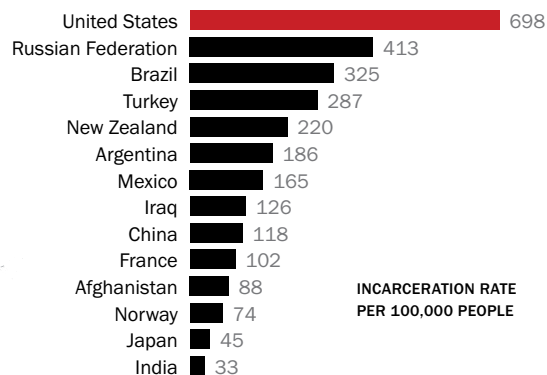
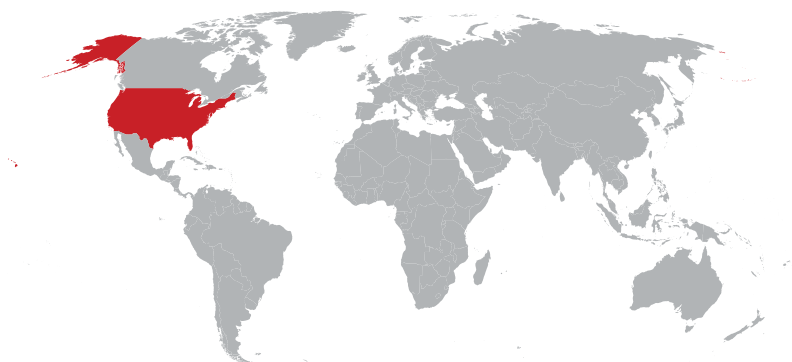
**The United States
incarcerates more
people than any other
country in the world.**



It has nearly **5%** of
the world's population



but almost **25%** of
the world's known
prison population



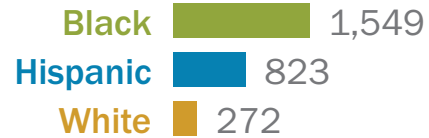
America spends
about **\$80 billion**
a year on incarceration.

The average cost
per prison inmate
in the U.S.

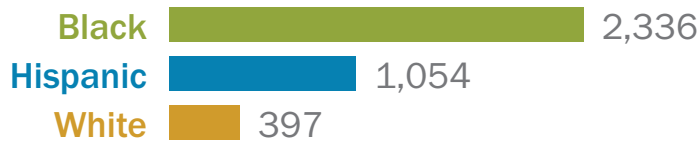
—————→ **\$33,274**

The racial, ethnic and gender makeup of U.S. prisons continues to look substantially different from the demographics of the country as a whole.

INCARCERATION RATE
PER 100,000 PEOPLE



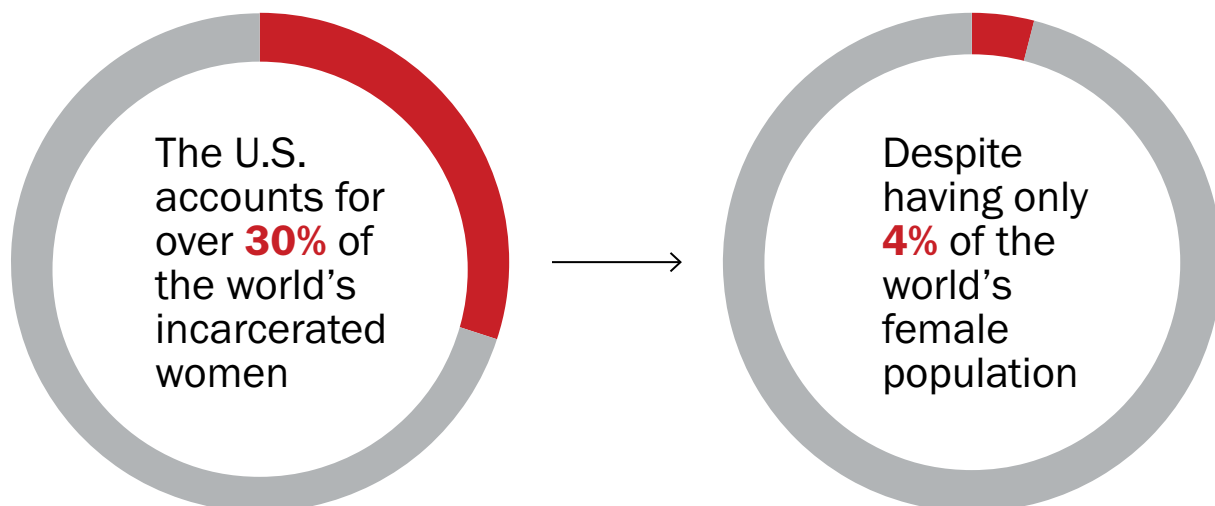
INCARCERATION RATE PER 100,000 MEN



Black men are **6 times** more likely to be incarcerated than white men. **Latino men** are **2.5 times** more likely to be incarcerated than white men.

Black women are nearly **2 times** as likely to be incarcerated than white women. **Latino women** are **1.35 times** more likely to be incarcerated than white women.

INCARCERATION RATE PER 100,000 WOMEN



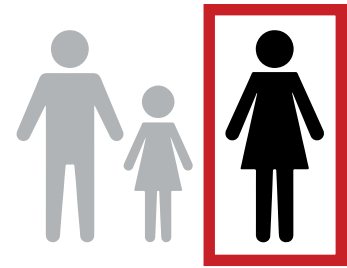
80% of women in jail are mothers.

2.9 MILLION women are jailed in the U.S. each year.



Over 2.7 million children have a parent in jail or prison.

10 MILLION children have had a parent behind bars.



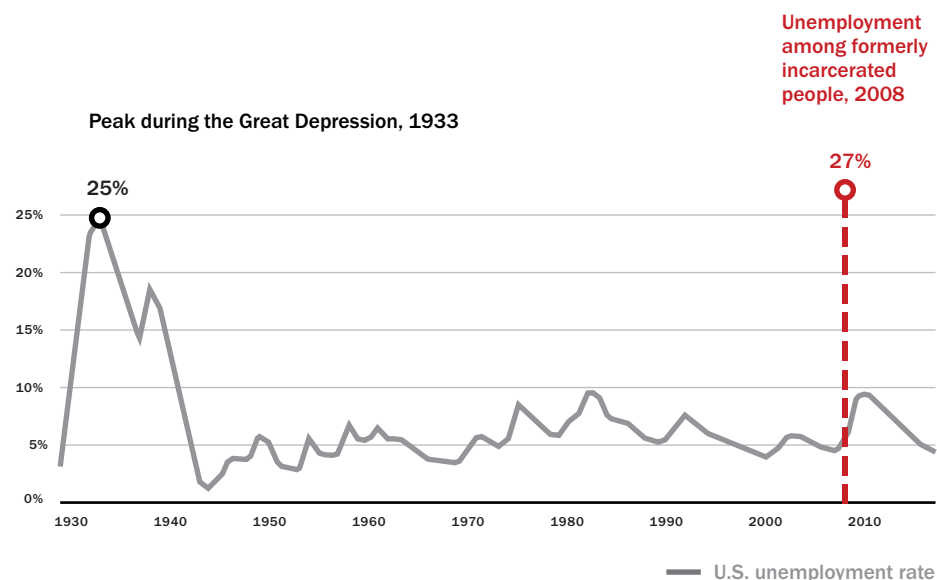
Over **70 million** Americans have some type of criminal record.



That's nearly 1 in 3 adults in America.

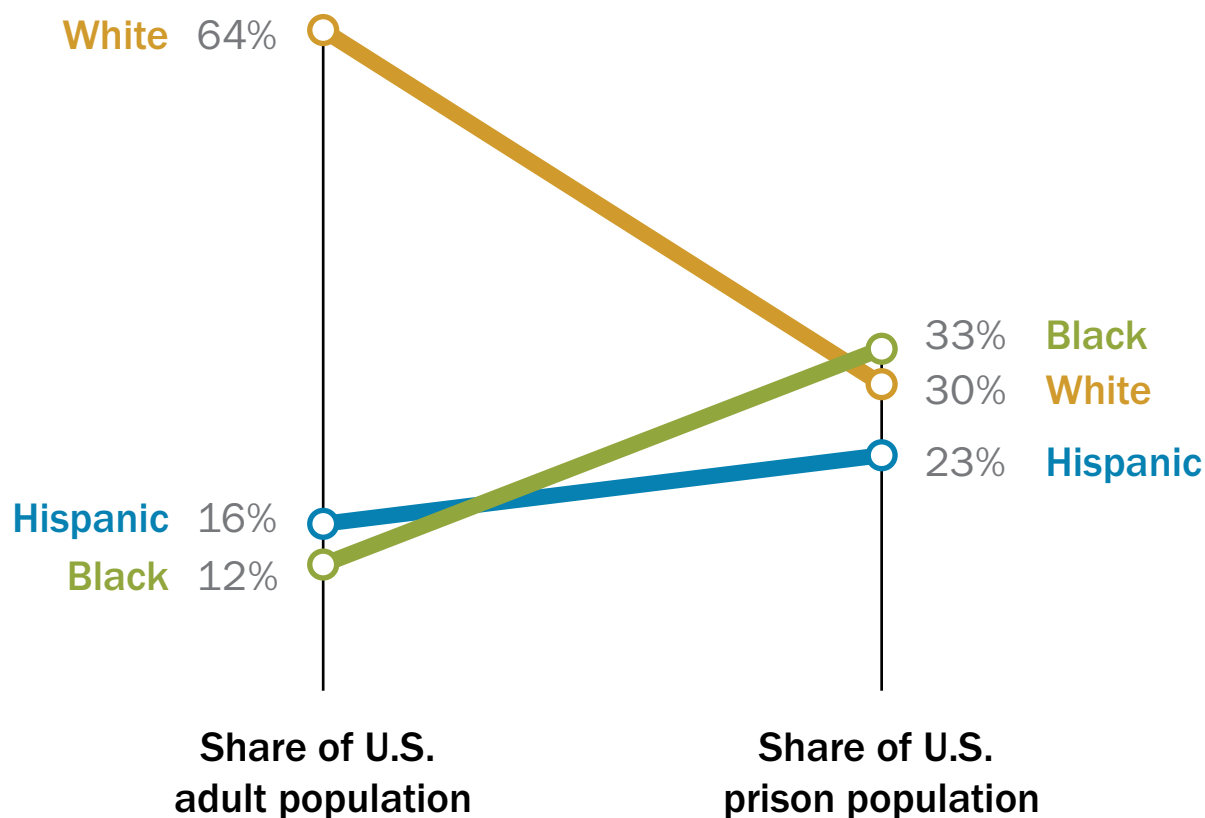
OVER 640,000 people are released from state and federal prisons each year.

A criminal record reduces the chance of getting a job offer or callback by nearly **50%**.



Unemployment for formerly incarcerated people is higher than unemployment rate for Americans during the Great Depression.

Share of U.S. Population vs. Prison Population by Race



- ▶ **Whites** are **64%** of the U.S. population and **30%** of the prison population.
- ▶ **Hispanics** are **16%** of the U.S. population and **23%** of the prison population.
- ▶ **Blacks** are **12%** of the U.S. population and **33%** of the prison population.

Throughout the toolkit and in this section, we've drawn from information provided by others. If you'd like to do further research, here are some sources to check: Bureau of Justice Statistics, Prison Policy Initiative, ACLU, Census Bureau, Prison Studies, Pew Research, Sentencing Project, National Reentry Resource Center, and Vera Institute of Justice.



Criminal Justice 101

Excerpted from *In Your Backyard: A Toolkit for Addressing Criminal Justice at the Local Level* produced by the Jewish Council for Public Affairs (JCPA).

JCPA | JEWISH COUNCIL
FOR PUBLIC AFFAIRS

INTRODUCTION

The inequities people of color suffer at the hands of the justice system constitute one of the most pressing civil rights crises the United States faces today.

More than 30 years ago, the United States launched a “War on Drugs” that produced “tough on crime” policies and harsh mandatory minimum sentences that have lengthened prison terms across the board. As a result, our prison population has skyrocketed, disproportionately impacting people of color. Shootings of unarmed black and Latino men and women since the murder of Trayvon Martin in 2012 serve as a striking reminder that racism and discrimination still plague our society and that the dream of the civil rights era remains deferred.

JCPA’s “Criminal Justice 101” is a user-friendly policy overview that aims to provide a background on the issues criminal justice reform seeks to address so that the Jewish community relations field can increase its involvement in working for transformative change.

Criminal justice is a broad term that covers an array of issues. For clarity, this overview divides these issues chronologically into before, during, and after incarceration, including:

- ▶ School-to Prison Pipeline and Juvenile Justice
- ▶ Law Enforcement and Police Encounters
- ▶ Judicial Proceedings
- ▶ Incarceration
- ▶ Reentry and Collateral Consequences

SCHOOL-TO-PRISON PIPELINE

The “**school-to-prison pipeline**” refers to the widespread trend of schools adopting “zero tolerance” disciplinary practices—out-of-school suspensions, expulsions, and arrests—that drive students from the education system into the juvenile justice system. Almost **70%** of inmates never graduated high school.¹

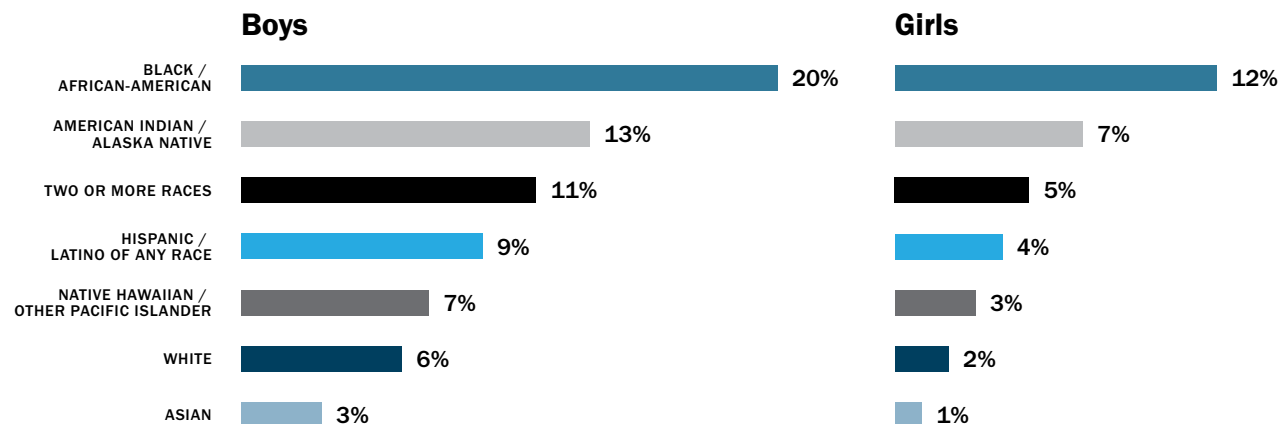
Over the past several decades, pre-schools through high schools across the nation embraced disciplinary models that mandate harsh punishments even for low-level misbehavior. Minor offenses, such as dress code or cell phone violations, profanity, and “talking back,” which once merited a visit to the principal’s office, are now cause for out-of-school suspension, expulsion, and in-school arrests.²

Further compounding the problem, overcrowded, underfunded schools are increasingly relying on campus cops, known as Student Resource Officers, to handle routine discipline. According to the Justice Policy Institute, schools with Student Resource Officers were **5X** more likely to arrest students for discretionary offenses like “disorderly conduct” or “insubordination” than those without police.³ As one chief judge told Congress in 2012, instead of addressing serious crimes, the juvenile justice system must now expend its resources on “prosecuting kids that are not ‘scary,’ but made an adult mad.”⁴ Over **70%** of students subjected to discretionary arrest are black or Latino.⁵

“(R)elying on out-of-school suspensions, expulsions and arrests to handle routine matters of discipline is not only proven to harm students’ academic outcomes, but it’s not even proven to make our schools safer.”

— MATT CREGOR, NAACP Legal Defense and Educational Fund

Students Receiving Out-of-School Suspensions by Race/Ethnicity and Gender



SOURCE: U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS, CIVIL RIGHTS DATA COLLECTION, 2011-12. DATA COMPILED BY THE JUSTICE POLICY INSTITUTE

Such punitive measures, most of which are “discretionary,” disproportionately impact students of color, LGBTQ students, and students with disabilities—many of whom are already impoverished, abused, and/

or neglected at home. Federal data shows that black students are **3X** as likely to face suspension or expulsion as their white classmates, despite numerous studies that indicate no behavioral differences.⁶ Research has largely dispelled the common notion that these disparities stem from issues of poverty and more misbehavior among students of color.⁷

A groundbreaking Texas study found that just **one** out-of-school suspension **doubled** a student’s risk of dropping out and **23%** of students who were suspended ended up in contact with the juvenile justice system. Of most concern, the study also found that black students were **31%** more likely to receive a discretionary suspension, even after controlling for variables like the school’s demographics and regional attributes, age, socioeconomic status, and English language proficiency.^{8,9}

LAW ENFORCEMENT

Animosity between law enforcement and communities of color has reached crisis levels. Police shootings have justifiably captured public attention and reignited a national conversation about how we police society. Excessive force used by officers in *routine interactions* with black and Latino citizens is one of the most ubiquitous, and damaging forms of discrimination.

Police officers face a difficult, demanding, and sometimes dangerous job, and deserve recognition and respect. Increasingly, officers have found themselves responsible for handling situations that call for mental health professionals, social workers, or educators.

Experts widely agree, and mounting data strongly suggest, that the criminal justice system, including police work, suffers from institutionalized racism that traumatizes both police and citizens of color. **Institutional racism** “refers to the policies and practices within and across institutions that, intentionally or not, produce outcomes that chronically favor, or put a racial group at a disadvantage.”^{10,11} **Implicit bias**, which nearly everyone holds to some degree, also significantly contributes to racial and ethnic disparities in police stops, arrests, prosecutions, and punishment.

Take a few minutes to test your implicit bias at <http://bit.ly/1m808ph>

Over-policing

A new study by prominent Harvard economist Roland G. Fryer Jr. confirms that police are more likely to touch, handcuff, push to the ground, or pepper-spray black men and women, even after controlling for how, when, and where they encounter the officers.¹² Given that police are far more likely to stop people of color, a significant portion of this population have directly experienced or know someone who experienced police harassment.

In one small Florida town, “stop and frisk” quotas led police to stop 56,922 people, more than half the population, over five years. News broke after *Miami Herald* reporters discovered that police had stopped one black man 258 times, including 62 times for loitering or trespassing while at the convenience store where he worked.^{13,14}

People of color also experience a subtler form of institutional racism through cities’ use of municipal fines from traffic tickets and other minor infractions to raise revenue. Though ostensibly neutral, it is poor, mostly minority populations who bear the brunt of the financial burden.¹⁵

Many cities even arrest people who are unable to pay their fines, detaining them in overcrowded jails, sometimes for weeks—perversely often at a cost to taxpayers that far exceeds the amount owed.¹⁶ In a true catch-22, some residents have their driver's license suspended, costing them jobs they need to pay off their fines. Nearly all of those caught up in the system for failure to pay are black or Latino, disabled, and/or homeless.

When the Justice Department investigated Ferguson's police department after Michael Brown's death, it found that officers disproportionately ticketed and arrested black citizens, viewing them "less as constituents to be protected than as potential offenders and sources of revenue." In fact, promotions depended on officers' ability to generate revenue.¹⁷ The *Washington Post* reports that some cities rely on fines for minor offenses like playing loud music, leaving grass uncut, and wearing 'saggy pants' to make up more than **40%** of their annual budgets.^{18 19}

Under-policing

Conversely, black communities are also severely under-policed when it comes to violent crime, forcing residents to carry out their own policing, often through violence.²⁰ For many, being black or Latino means living in a community, such as in New York City, where police solve **86%** of homicides involving white victims, while **55%** of homicides involving a black victim are left unsolved.²¹ The incongruity is largely a result of mistrust between police and communities of color, as well as "**broken windows policing**," which criminalized nuisance behaviors. Yet, according to researchers, it is also a matter of police priorities. One criminologist points out that police almost always solve homicides of fellow officers, even though these murders are often the most difficult to solve.²²

You can look up the percentage of crimes your local law enforcement solve using this database from National Public Radio at <http://n.pr/1Nz1Hff>

With high arrest rates for minor offenses disproportionate to that of white people for the same crimes, and low arrest rates for serious violent crime, trust in police among communities of color has deteriorated such that citizens in those communities do not feel safe encountering or turning to police.

Police Militarization

Police militarization made national headlines in 2015, during the protests in Ferguson following Michael Brown's fatal shooting, but the Department of Defense program that makes it possible today started in 1997.

The **1033 program** allows the Defense Department to share its surplus equipment with state and local police forces. This program has given rise to police outfitted with mine-resistant armored tanks, grenade launchers, and assault rifles they have little to no training in using.



Police in riot gear confront a man in Ferguson, Missouri, on August 11, 2014.

(JEFF ROBERSON/AP)

Police Officers Are More Likely To Use Force With Blacks Than With Whites

SOURCE:
THE NEW YORK
TIMES, 2016

TYPE OF FORCE USED

USE HANDS

PUSH INTO WALL

USE HANDCUFFS

DRAW WEAPONS

PUSH TO GROUND

POINT WEAPON

USE PEPPER SPRAY OR BATON

INCIDENTS FOR EVERY 10,000 STOPS IN NEW YORK CITY

BLACKS	WHITES	% MORE LIKELY
2,165	1,845	17%
623	529	18%
310	266	16%
155	129	19%
136	114	18%
54	43	24%
5	4	25%

Equipping law enforcement with military gear has profound psychological impacts both on citizens and the officers themselves. It sends the message that law enforcement is “at war” with the communities they are charged with protecting. It terrifies citizens and automatically escalates already tense and hostile situations that in no way require military use of force. The number of SWAT teams, initially established to respond to active shooter and hostage situations, has proliferated across the country. Not surprisingly, the majority of SWAT deployments—**over 80%** in some regions—are now for “no-knock” drug raids, where police storm homes, often in the middle of the night, to search for drugs.²³

JUDICIAL PROCEEDINGS

Justice in America is too often delayed or denied. Court dockets are overloaded, the public defender system is underfunded, and racial disparities permeate the system. Access to competent counsel is both constitutionally-mandated and essential to prevent miscarriages of justice. The inadequacy of the current system results too often in justice delayed and denied, as when the outcomes of criminal proceedings hinge arbitrarily on a defendant’s finances.

Public Defenders

According to the Brennan Center for Justice, anywhere from **60-90%** of criminal defendants need publicly-funded counsel.²⁴ Yet public defenders are so under-resourced and overworked, in some jurisdictions, they can only devote an average of **seven minutes** to each case—handling some **350-1,000** cases annually, which means they cannot possibly be an effective advocate.²⁵ And in fact, many urge their clients to accept plea deals, even when the client insists

on their innocence. In at least 43 states and the District of Columbia, courts can bill defendants for their public defender.²⁶

Almost all criminal cases end in a plea deal, that is, before the case is tried. It is not uncommon for impoverished defendants—even those who are innocent—to agree to plead guilty, rather than sit in jail and await trial, because they cannot afford to wait in jail for the trial date, nor can they afford bail. Agreeing to a suspended sentence or probation may meet their immediate needs, but the long-term outcome is grim: they now have a criminal record, which renders them ineligible for many jobs and most public assistance.²⁷

Being incarcerated, even for a short time, can be devastating, resulting in the loss of a job, child custody, and even housing. Over **62%** of people in jail have not yet faced trial or been found guilty. A **third** are detained simply due to their inability to make bail.

Find out what court fees your state charges using this helpful tool created by National Public Radio at <https://n.pr/1o1RDSp>

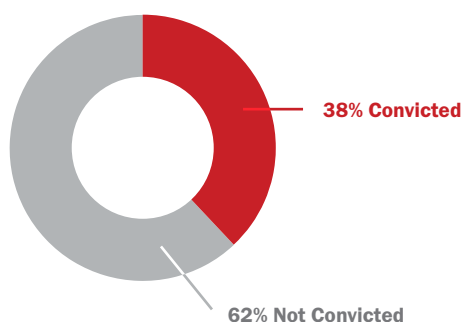
Indigent Defense and Bail

That is why so many **indigent**²⁸—impoverished—defendants turn to predatory bail bondsman, who agree to pay the court should the defendant fail to appear in court. In exchange, the defendant must pay 10-15% of the bail amount to the bondsmen up front, even if the defendant is found not guilty or the charges are dropped.²⁹ But even bondsmen typically refuse to front bails set lower than \$2,000, which is higher than most bails.³⁰ Our system punishes low-income people before they are even proven guilty.

Mandatory Minimum Sentences

“If he had been an aircraft hijacker, he would have gotten 24 years in prison. If he’d been a terrorist, he would have gotten 20 years in prison. If he was a child rapist, he would have gotten 11 years in prison. And now I’m supposed to give him a 55-year sentence? I mean, that’s just not right.”

— **RETIRED FEDERAL JUDGE PAUL CASSELL**, on sentencing 24-year-old Weldon Angelos to 55 years for three marijuana sales



Three out of five people in jail are legally presumed innocent, awaiting trial or resolution of their cases through plea negotiation, and simply too poor to post even low bail.

SOURCE: RAM SUBRAMANIAN ET. AL. *INCARCERATION'S FRONT DOOR: THE MISUSE OF JAILS IN AMERICA*. NEW YORK, NY: VERA INSTITUTE OF JUSTICE, 2015

More than 30 years ago, the United States launched a “War on Drugs” that produced “tough on crime” policies and **mandatory minimum sentences** that have lengthened prison terms across the board. About half of all arrests are drug-related, and the majority of these

are for personal use or simple possession. As a result, our prison population has skyrocketed. Long sentences and mandatory incarceration for minor drug offenses have not deterred drug use or reduced addiction rates.

Studies suggest that the disproportionate percentage of people of color enmeshed in the criminal justice process reflects disparities in police enforcement of criminal laws, rather than any difference in the rates at which whites and minorities commit crimes. For example, despite similar or higher usage rates among whites, drug arrests and prosecutions fall disproportionately on African-Americans and Latinos, who are also more likely to be convicted and sentenced to longer terms than white defendants. Mandatory minimums for drug offenses also drove harsher sentences for other crimes, as well. Once a drug offense merits a 10-year sentence, more serious crimes require longer terms to keep pace.



Several hundred inmates crowding the gymnasium at California's San Quentin prison in 2009. (ERIC RISBERG/AP)

INCARCERATION

Incarceration has increased more than **500%** over the last 40 years.³¹ As a nation, we spend more on prisons and jails each year than the entire budget of the Department of Education—**\$80 billion** annually to lock up over **2.2 million** people. According to the Bureau of Justice Statistics, state prisons house more than **86%** of the nation's inmates. Just under half are there for nonviolent offenses.³²

Find out your state's imprisonment rate using The Sentencing Project's interactive map at <http://bit.ly/2bdB3fo>

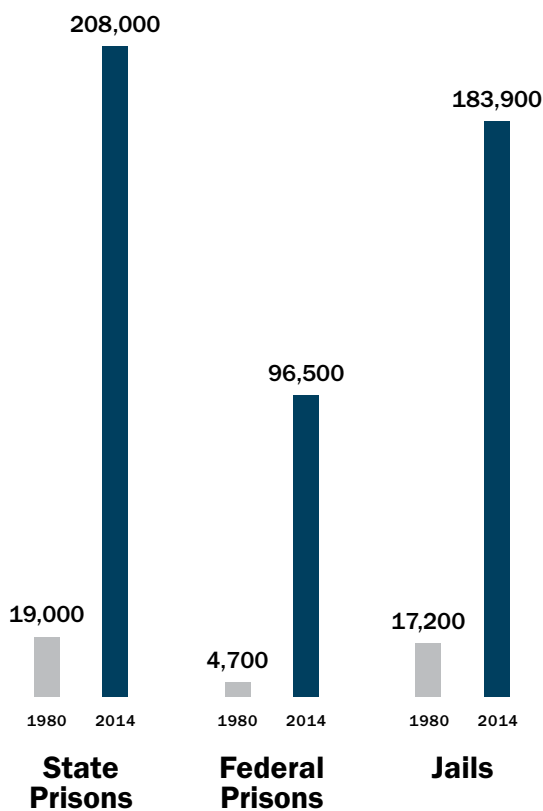
The incarceration system has all but abandoned rehabilitation in favor of retribution. Prison conditions, including severe overcrowding and pervasive sexual violence, can impose hardships and dire consequences more egregious than those imposed by our laws. These conditions dehumanize both inmates and prison guards, making the environment even more dangerous and volatile.

Over the years, as incarceration rates exploded and pressure to cut prison costs mounted, many facilities significantly increased their inmate-to-staff ratio, meaning each guard is responsible for a growing number of inmates, which is correlated with higher levels of violence among inmates.³³

Mental Health

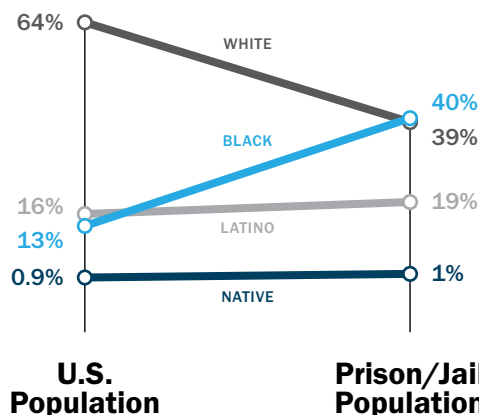
Prisons have become *de facto* mental health facilities. Research shows that many, if not most, perpetrators are also victims of crime. There are a variety of explanations for the overlap between victims and offenders that range from societal to psychological. Breaking the cycle of victimization and criminalization requires robust mental health services that few facilities offer.³⁴ Inmates are not the only ones who suffer within prison walls. Corrections officers report high rates of Post-Traumatic Stress Disorder (PTSD) and incidents of suicide. One study of U.S. corrections officers found that they suffer PTSD at more than double the rate of military veterans. The consequences may be far-reaching. A number

Number of People in Prisons and Jails for Drug Offenses, 1980 and 2014



SOURCE: THE SENTENCING PROJECT

Racial and Ethnic Disparities in Prisons and Jails



SOURCE: PRISON POLICY INITIATIVE; COMPILED FROM 2010 CENSUS, SUMMARY FILE 1.

of current and former officers admitted to taking out the stress and anxiety of the job on inmates.³⁵ Yet mental health care and counseling services are virtually nonexistent.

Solitary Confinement

Adding to the psychological trauma that incarceration can impose is the controversial use of solitary confinement as a prison management tool. Also known as “restrictive housing,” “the SHU,”³⁶ “segregation,” “the box” or “the hole,” solitary confinement involves isolating a person in a cell for 22-24 hours a day with virtually no human contact. This tactic is used for punitive, disciplinary, and “protective” reasons and can last anywhere from a few days to decades. Disciplinary segregation is typically used in response to violations of prison rules, while “involuntary protective custody” is common for at-risk prisoners, such as minors held in adult prisons, LGBTQ people, and mentally-ill individuals.³⁷

Military, criminal, and psychiatric experts almost universally agree that isolation causes insanity. Even just a few



Solitary confinement cells are typically about eight by ten feet.

days in isolation can leave permanent damage. In 2011, the United Nations Special Rapporteur on Torture, Juan Méndez, called for an international ban on solitary confinement, arguing that the practice could amount to torture.³⁸ Though solitary confinement for juveniles was recently banned in federal facilities, many states still engage in this practice. Almost all allow it for adults.

Mass arrests and incarceration remove large numbers of people from engaging productively in their communities, significantly contributing to poverty, income inequality, and family instability. For every person incarcerated, there is also a network of family, friends, and community members who must endure the consequences of that person’s absence.

In addition to losing the incarcerated person’s income, exorbitant phone call rates, travel costs for visits, and legal fees also place additional financial strain on families. Through it all, children suffer the most.³⁹

“Incarceration is a curse on my family. It sucked up and spat out my brother and father and friends. It permeates my earliest memories. It shaped my worldview, informed my awareness of the system, and plagued my youth with knowing.”

— DOMINIQUE MATTI, freelance writer and editor, Vox

Women

Although mostly overlooked, women are the fastest growing prison population in the United States, which already accounts for 30% of the world’s incarcerated women.⁴⁰ Since the majority of crimes that women commit are nonviolent property, drug, or public order offenses, the emphasis on “broken windows policing” contributed significantly to this increase.⁴¹

Nearly a third of incarcerated women suffer from a serious mental illness and 82% have a history of drug or alcohol abuse.⁴² Yet most facilities lack adequate mental health, substance abuse, and gynecological services. Common practices inside prison walls, such as solitary confinement and shackling during pregnancy and childbirth, are inhumane and result in long-term trauma that undermine reintegration into society.

Nearly 80% of women in jail have young children, fueling an intergenerational cycle of trauma. When parents are arrested, they disappear from their children’s lives with little to no warning, leaving them traumatized by the sense of abandonment and uncertainty about their futures.⁴³ Many end up in foster care, which carries an added risk of contact with the juvenile justice system.⁴⁴ Most women are incarcerated at least 100 miles from their families, often rendering visitation impossible for family members, particularly children. In many ways, incarceration isolates both parents and children.

Racial and Ethnic Disparities

Two-thirds of women in jail are women of color—44% are black, 15% are Hispanic and 5% are of other racial/ethnic backgrounds—compared to 36% of women who identified as white.



■ Women of color
□ White women

SOURCE: SWAVOLA, RILEY, AND SUBRAMANIAN, "OVERLOOKED: WOMEN AND JAILS IN AN ERA OF REFORM."

REENTRY AND COLLATERAL CONSEQUENCES

Returning citizens, the preferred term for inmates released from prison, must navigate a complex set of barriers that make resuming any semblance of a "normal" life nearly impossible. Nearly half end up back in prison. This trend is known as **recidivism**, which refers to the rate at which returning citizens relapse into criminal behavior. In most states, less than 10% return for new crimes—most are for technical parole violations.

Two-thirds of incarcerated people reported to the Justice Department that they owed court-imposed fees and fines. Between **80-85%** leave prison already owing large sums of money. The lack of adequate rehabilitation programming, medical and behavioral health services, substance abuse treatment, educational opportunities, and family contact make reentering society a real challenge. Few facilities prepare inmates to be productive members of society; adjusting psychologically to life outside of prison can be extremely difficult.⁴⁵ It is common for inmates to be released directly from solitary confinement to society—in some extreme cases, after years.

"A tough veneer that precludes seeking help for personal problems, the generalized mistrust that comes from the fear of exploitation, and a tendency to strike out in response to minimal provocations are highly functional in many prison contexts but problematic virtually everywhere else."

— CRAIG HANEY, UC Santa Cruz
professor of psychology

Criminalization also degrades the conditions that can aid in recovery—such as access to addiction and mental health treatment, support networks, gainful employment, and education. Returning citizens are barred from accessing most government benefits, including the Supplemental Nutrition Assistance Program (SNAP) and public housing. In fact, they are prohibited from even entering public housing, which often prevents them from returning home, visiting family, or staying with relatives while getting back on their feet.

In addition to hardships associated with basic necessities like food and shelter, finding paid employment can be nearly impossible due to the stigma of incarceration. In many states, occupational licensure boards are allowed to reject applicants with criminal histories, even when that history has no relevance to the job.⁴⁶

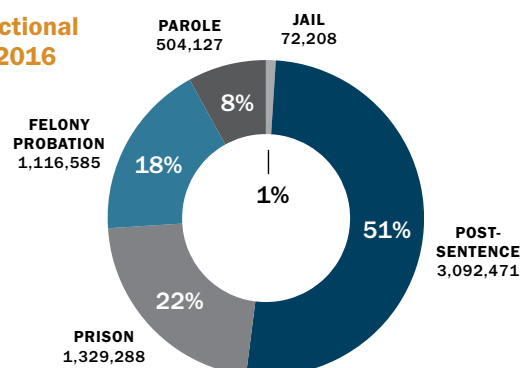
Even when returning citizens manage to find stable housing and obtain employment, strict parole rules often make failure inevitable. Parole violations are the prevailing cause of re-incarceration. According to the Bureau of Prison Statistics, **60%** of parolees who returned to incarceration in 2014 did so for a parole violation.⁴⁷ In some states, not only do many returning citizens struggle to adhere to parole rules, they also struggle to pay for parole, which many states require.⁴⁸

"I had to deal drugs again to pay for my parole officer."

— RANDELL M., an inmate featured in
VICE Special Report: Fixing the System

As many as **100 million** Americans, roughly one-third of the U.S. population, have a criminal record. Most states restrict voting rights for people convicted of felonies, while some prohibit felons from voting outright. The disenfranchisement of millions of former prisoners results in significant racial disparities among qualified voters. The Sentencing Project estimates that 6.1 million Americans are disenfranchised due to a felony conviction, over half of whom have finished their sentences.⁴⁹

Disenfranchisement Distribution Across Correctional Populations 2016



SOURCE: THE SENTENCING PROJECT, 2016

ENDNOTES

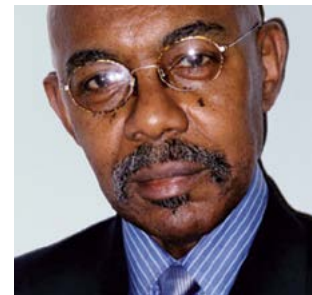
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Words Matter

Eddie Ellis was the founder and president of the [Center for NuLeadership on Urban Solutions](#) in New York City until his death in 2014.



Eddie Ellis

PHOTO COURTESY OF CENTER FOR
NULEADERSHIP ON URBAN SOLUTIONS

He started the Center to continue the leadership he brought to prison reform even while he was behind bars. Throughout his life, he fought for the underserved and those formerly incarcerated. He is known around the world for his relentless dedication to criminal and social justice.

Ellis was among the first to call attention to the dehumanizing language that is often used to describe people who have been arrested and incarcerated. Words like “felon” and “ex-con” strip the humanity from people who have had criminal justice involvement.

A dozen years ago, he framed the issue in “An Open Letter to Our Friends on the Question of Language,” which has become a touchstone for respect and civility. In this letter he writes:

We habitually underestimate the power of language. The Bible says, **“Death and life are in the power of the tongue.”** In fact, all of the faith traditions recognize the power of words and, in particular, names that we are given or give ourselves. Ancient traditions considered the “naming ceremony” one of the most important rites of passage. Your name indicated not only who you were and where you belonged, but also who you could be. The worst part of repeatedly hearing your negative definition of me is that I begin to believe it myself, *“for as a man thinketh in his heart, so is he.”* It follows then, that calling me inmate, convict, prisoner, felon or offender indicates a lack of understanding of who I am, but more importantly **what I can be.** I can be and am much more than an “ex-con,” or an “ex-offender,” or an “ex-felon.”

What did Ellis suggest instead?
“Simply refer to us as PEOPLE.”

Today the Center for NuLeadership on Urban Solutions carries on the work Ellis began. It is an independent public policy, research, training and advocacy organization designed and developed by formerly incarcerated professionals and staffed by people directly impacted by the criminal punishment system. “We use ‘human’—not ‘criminal’—as a starting point to elevate the full humanity and potential of all people, which is the foundation of a working democracy and thriving society,” the organization declares.

Ellis’s call to action also became federal policy in 2016, when the Justice Department’s Office of Justice Programs, which supports law enforcement and criminal justice efforts across the country, announced it would no longer use the words “felon” or “convict” on its website, in grant solicitations or in speeches, but would instead use “person who committed a crime” or “individual who was incarcerated.”

- ▶ Read [“An Open Letter to Our Friends on the Question of Language.”](#)
- ▶ Read the [Justice Department’s announcement.](#)
- ▶ Both documents are also reproduced on the following pages.

“Death and life
are in the power
of the tongue.”

Proverbs 18:21



An Open Letter to Our Friends on the Question of Language

"When there is emotional pain, psychiatrists like me believe that we can help. But before we act we need to find some handle for the problem, some name to guide action. Once in awhile, we realize that these names are inadequate for the problems we are seeing. Then we search for new names, or new ways to group old names."

-- Mindy Thompson Fullilove, M.D., "Root Shock," 2005

Dear Friends:

The Center for NuLeadership on Urban Solutions is a human justice policy, advocacy and training center founded, directed and staffed by academics and advocates who were formerly incarcerated. It is the first and only one of its kind in the United States.

One of our first initiatives is to respond to the negative public perception about our population as expressed in the language and concepts used to describe us. When we are not called mad dogs, animals, predators, offenders and other derogatory terms, we are referred to as inmates, convicts, prisoners and felons—all terms devoid of humanness which identify us as "things" rather than as people. These terms are accepted as the "official" language of the media, law enforcement, prison industrial complex and public policy agencies. **However, they are no longer acceptable for us and we are asking people to stop using them.**

In an effort to assist our transition from prison to our communities as responsible citizens and to create a more positive human image of ourselves, we are asking everyone to stop using these negative terms and to simply refer to us as **PEOPLE**. People currently or formerly incarcerated, **PEOPLE** on parole, **PEOPLE** recently released from prison, **PEOPLE** in prison, **PEOPLE** with criminal convictions, but **PEOPLE**.

We habitually underestimate the power of language. The bible says, **"Death and life are in the power of the tongue."** In fact, all of the faith traditions recognize the power of words and, in particular, names that we are given or give ourselves. Ancient traditions considered the "naming ceremony" one of the most important rites of passage. Your name indicated not only who you were and where you belonged, but also who you could be. The worst part of repeatedly hearing your negative definition of me, is that I begin to believe it myself *"for as a man thinketh in his heart, so is he."* It follows then, that calling me inmate, convict, prisoner, felon, or offender indicates a lack of understanding of who I am, but more importantly **what I can be.** I can be and am much more than an "ex-con," or an "ex-offender," or an "ex-felon."

The Center for NuLeadership on Urban Solutions believes that if we can get progressive

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publications, organizations and individuals like you to stop using the old offensive language and simply refer to us as “**people**,” we will have achieved a significant step forward in our life giving struggle to be recognized as the human beings we are. We have made our mistakes, yes, but we have also paid or are paying our debts to society.

We believe we have the right to be called by a name we choose, rather than one someone else decides to use. We think that by insisting on being called “**people**” we reaffirm our right to be recognized as human beings, not animals, inmates, prisoners or offenders.

We also firmly believe that if we cannot persuade you to refer to us, and think of us, as people, then all our other efforts at reform and change are seriously compromised.

Accordingly, please talk with your friends and colleagues about this initiative. If you agree with our approach encourage others to join us. Use positive language in your writing, speeches, publications, web sites and literature.

When you hear people using the negative language, gently and respectfully correct them and explain why such language is hurting us. Kindly circulate this letter on your various list serves.

If you disagree with this initiative, please write and tell us why at the above address or e-mail us at info@centerfornuleadership.org. Perhaps, we have overlooked something. ***Please join us in making this campaign successful. With your help we can change public opinion, one person at a time.***

Thank you so much.

In Solidarity and Love,

Eddie Ellis
Founder

4 Easy Steps To Follow

1. Be conscious of the language you use. Remember that each time you speak, you convey powerful word picture images.
2. Stop using the terms offender, felon, prisoner, inmate and convict.
3. Substitute the word PEOPLE for these other negative terms.
4. Encourage your friends, family and colleagues to use positive language in their speech, writing, publications and electronic communications.

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Washington Post Op-Ed:

Justice Dept. Agency to Alter Its Terminology for Released Convicts, to Ease Reentry

May 4, 2016 | By Tom Jackman

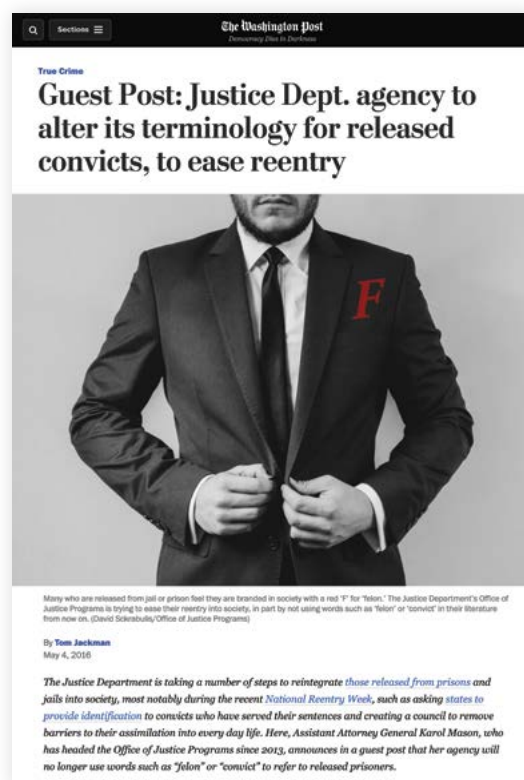
The Justice Department is taking a number of steps to reintegrate those released from prisons and jails into society, most notably during the recent National Reentry Week, such as asking states to provide identification to convicts who have served their sentences and creating a council to remove barriers to their assimilation into every day life. Here, Assistant Attorney General Karol Mason, who has headed the Office of Justice Programs since 2013, announces in a guest post that her agency will no longer use words such as “felon” or “convict” to refer to released prisoners.

By Karol Mason

During National Reentry Week last week, federal prisons and prosecutors’ offices and local organizations held job fairs, community town hall meetings, special mentoring sessions, and outreach events aimed at raising public awareness of the obstacles facing those who leave our prisons, jails, and juvenile justice facilities each year. The American Bar Association has documented more than 46,000 collateral consequences of criminal convictions, penalties such as disenfranchisement and employment prohibitions that follow individuals long after their release. These legal and regulatory barriers are formidable, but many of the formerly incarcerated men, women, and young people I talk with say that no punishment is harsher than being permanently branded a “felon” or “offender.”

In my role as head of the division of the Justice Department that funds and supports hundreds of reentry programs throughout the country, I have come to believe that we have a responsibility to reduce not only the physical but also the psychological barriers to reintegration. The labels we affix to those who have served time can drain their sense of self-worth and perpetuate a cycle of crime, the very thing reentry programs are designed to prevent. In an effort to solidify the principles of individual redemption and second chances that our society stands for, I recently issued an agency-wide policy directing our employees to consider how the language we use affects reentry success.

This new policy statement replaces unnecessarily disparaging labels with terms like “person who committed a crime” and “individual who was incarcerated,” decoupling past actions from the person being described and anticipating the contributions we expect them to make



This article is as it appears on the [Washington Post](https://www.washingtonpost.com) website.

when they return. We will be using the new terminology in speeches, solicitations, website content, and social media posts, and I am hopeful that other agencies and organizations will consider doing the same.

Adjusting language in no way means condoning criminal or delinquent behavior. Those who commit crimes must be held accountable. But accountability requires making amends, an objective that is much harder to achieve when a person is denied the chance to move forward. The people who leave our correctional facilities every year have paid their debts. They deserve a chance to rebuild their lives. We, all of us, can help them by dispensing with useless and demeaning labels that freeze people in a single moment of time.

Our words have power. They shape and color our estimations and judgments. They can build up or tear down. The hundreds of thousands of people who come out of our prisons on an annual basis and the millions more who cycle through local jails need to hear that they are capable of making a change for the better. And with that message of inclusion, that we are holding them to the expectation that they become productive contributors to our communities’ safety and success.

Note: This post was updated to clarify that Mason’s directive applies only to the Office of Justice Programs, not the entire Justice Department.



For Congregational Education — Movies & Books

Films and books can be a powerful starting point to help congregations learn about mass incarceration, and to nurture a commitment to supporting both people impacted by the criminal justice system and those working for systemic policy change to reduce incarceration, provide services for people who have been imprisoned and promote public investment in heavily impacted communities.

Below are some suggestions to get started. These films and books have been driving the public conversation about mass incarceration and providing a framework for understanding dimensions of the issues. You might consider showing one or two of the films or starting a monthly movie night to show more. The films and books also can be a powerful addition to your curriculum for Bible or Torah study groups, youth groups or men's and women's groups.

Another idea is to host a weekend film festival, allowing you to more deeply and intensively engage with this complex issue. You might partner with other individuals or groups working on criminal justice reform in your community to broaden the discussion and be a resource for information.

It can be particularly meaningful to include people at your event who have direct experience with incarceration, either through their own criminal justice involvement or that of a family member or neighbor. Those closest to the problem often have invaluable insights about what is needed to improve the system and conditions. Incarceration can carry a stigma, and creating an opportunity for people to share their experiences in a welcoming space can be a helpful step in reducing that sense of stigma.



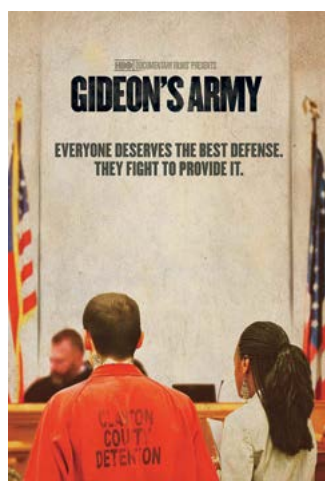
TIPS

- ▶ It is helpful if your venue has AV resources in place, as well as space for discussion afterward.
- ▶ Have a group leader watch the film in advance and prepare discussion questions. Many films and books have resources to help.
- ▶ Do a tech run-through of the film so there are no glitches when your event gets underway.
- ▶ Allow an hour following the film for discussion.
- ▶ Invite some people who are knowledgeable about criminal justice systems in your community. A county reentry program might be able to help you identify a speaker with lived experience.



13th (2016, 100 MINS)

The Oscar-nominated film *13th* examines America's prison system and its long history of racial inequality. It hinges on the 13th Amendment to the Constitution, which abolished slavery but allowed for prisoner servitude. Filmmaker Ava DuVernay examines how the U.S. became the country with the highest prison population in the world and why a hugely disproportional number of those prisoners are African American. [Learn more](#) and see [digital media tools](#). Available on [Netflix](#).



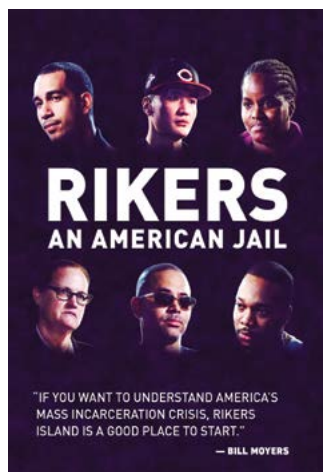
Gideon's Army (2013, 96 MINS)

The landmark Supreme Court ruling *Gideon v. Wainwright* established the right to counsel, but 50 years later that right remains limited. *Gideon's Army* follows the lives of three idealistic public defenders in the Deep South. Like most of the country's 15,000 public defenders—who represent clients too poor to pay for their own legal defense—they struggle against long hours, low pay and an overwhelming workload, often dealing with hundreds of cases at a time. *Gideon's Army* was presented on HBO and won a Sundance Film Festival award. [Learn more](#) and see the [screening toolkit](#). Available on [YouTube](#).



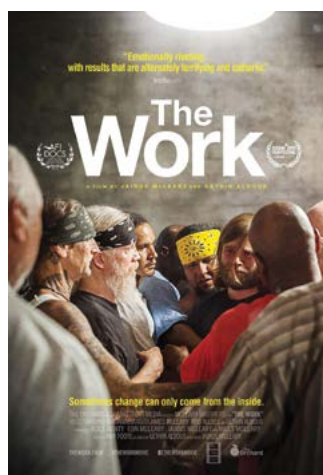
Crime + Punishment (2018, 112 MINS)

Crime + Punishment focuses on the struggles of a group of New York police officers who say they were pressured by their superiors to meet illegal quotas for arrests and summonses. The film reveals how a combination of abusive policing, the cash bail system and political paralysis can lead innocent people into the criminal justice system. *Crime + Punishment* won a special jury award for “social impact” at the 2018 Sundance Film Festival. [Learn more](#) or request a [local screening](#). Available on [Hulu](#).



RIKERS: An American Jail (2016, 57 MINS)

RIKERS: AN AMERICAN JAIL, an award-winning film by Bill Moyers, brings you face-to-face with men and women who endured incarceration at Rikers Island in New York City. Of the more than 7,500 people detained at Rikers Island on any given day, almost 80 percent have not yet been found guilty or innocent of the charges they face. As we learn in *RIKERS*, all are at risk in the pervasive culture of violence that forces people to come to terms with what they must do for their own survival. [Learn more](#), [sign up to screen](#) and see the [screening toolkit](#). Watch now at Rikersfilm.org.



The Work (2017, 89 MINS)

Set inside a single room in Folsom Prison in California, *The Work* follows three variously troubled men who are not inmates as they participate in a multiday group therapy retreat with maximum-security convicts. Over the days, they talk openly about their emotional experiences while delving deep into the past. *The Work* won the Grand Jury Prize in 2017 for Best Documentary Feature at South by Southwest. [Learn more](#). Available on [iTunes](#) and [DVD](#).



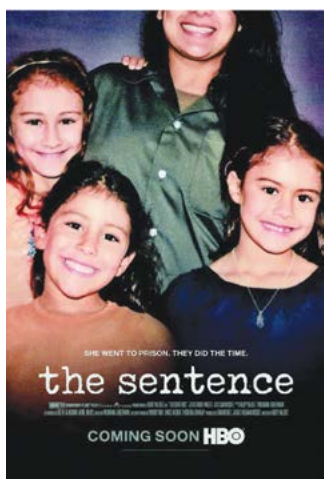
College Behind Bars (2019, 4 EPISODES)

College Behind Bars is a forthcoming four-part documentary film series about a small group of incarcerated men and women struggling to earn college degrees in one of the most rigorous prison education programs in the United States—the Bard Prison Initiative. Shot over four years in New York state prisons, the series reveals the personal stories of students and their families, and the transformative power of higher education. The series airs on PBS in the fall of 2019. [Learn more](#).



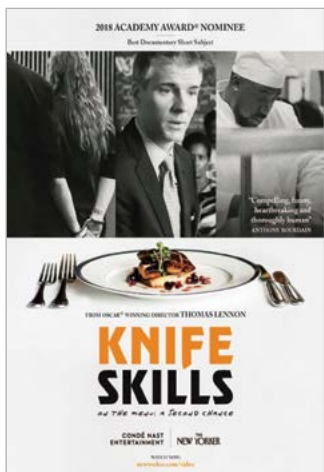
We Are Witnesses (2017, 19 EPISODES)

We are Witnesses, a series of 19 short videos produced by The Marshall Project, looks at the human cost of mass incarceration through the eyes of those who have experienced it firsthand. Police officers, judges, ex-prisoners, parents of a murder victim and a prison guard tell their stories straight to camera, offering a portrait of the state of crime and punishment in the U.S. [Learn more](#) or [watch now at The Marshall Project](#).



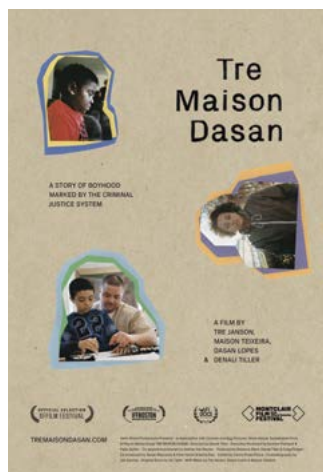
The Sentence (2018, 87 MINS)

The Sentence explores the consequences of mandatory minimum drug sentencing through the story of Cindy Shank, a mother of three young children who is serving a 15-year sentence for conspiracy charges related to crimes committed by her deceased ex-boyfriend. Over 10 years, Rudy Valdez, Cindy's older brother, documents her struggles to be present in her children's lives from behind bars and her daughters' experiences growing up without their mother. This HBO film won the 2018 Audience Award at the Sundance Film Festival. [Learn more](#), [inquire about screening](#) and see the [screening guide](#). Available for streaming on [HBO](#).



Knife Skills (2018, 40 MINS)

The Oscar-nominated documentary *Knife Skills* follows the hectic launch of Edwins, a Cleveland, Ohio fine-dining restaurant run almost entirely by men and women newly released from prison. Employees face the pressure of preparing lavish French dishes while simultaneously working to reintegrate back into their communities. The owner, Brandon Chrostowski, has created a kind of hybrid restaurant and social services concept to provide education, housing and steady employment for ex-detainees, who face few prospects and daunting recidivism rates. [Learn more](#) and [inquire about hosting a screening](#). Watch now on [YouTube](#).



Tre Maison Dasan (2019, 87 MINS)

Tre Maison Dasan: A Story of Boyhood Marked by the Criminal Justice System follows the journey of three young boys in Rhode Island who each have a parent in prison. Told directly through their perspectives, filmmaker Denali Tiller takes viewers through the struggle of the boys' daily lives. *Tre Maison Dasan* explores relationships and separation, masculinity and growing up in a society that often demonizes their parents and provides little support for their families. [Learn more about screening](#) and see the [screening toolkit](#).



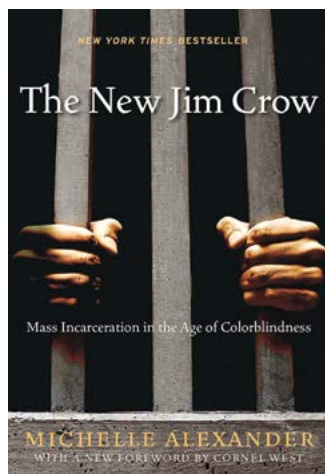
Faith in Action (2019, 13 MINS)

This film reveals the devastating long-term impact on communities, families and individuals of living with a criminal arrest record. More than 70 million Americans have some kind of record that impedes their access to employment, housing, occupational licensing and educational opportunities. *Faith in Action* tells the story of a unique partnership of justice professionals in Atlanta, Georgia with clergy at Ebenezer Baptist Church and The Temple in Atlanta, to hold one-day, one-stop public events that enable eligible people with prior criminal justice involvement to get their records cleared. [Watch now on Vimeo](#).



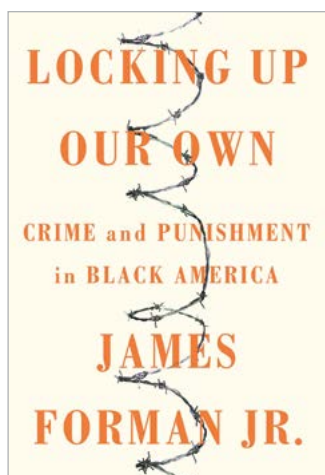
Milwaukee 53206 (2016, 54 MINS)

Within Milwaukee's mostly African-American 53206 ZIP code, 62% of adult men have spent time in prison, making it the zip code in America that incarcerates the highest rate of African American men. Through the stories of three residents, the film reveals the high toll mass incarceration takes on individuals and families that make up the community, reflecting the realities of millions of households across America. [Learn more about screening the film](#) and access the [screening toolkit](#). The film is produced by Transform Films, a production partner of [Odyssey Impact](#), which builds and executes social impact campaigns.



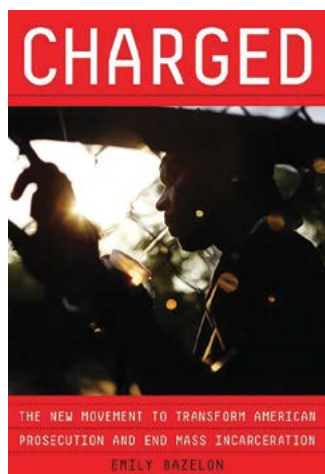
The New Jim Crow: Mass Incarceration in the Age of Colorblindness (2010) BY MICHELLE ALEXANDER

In this *New York Times* best-seller, civil rights lawyer, advocate and legal scholar Michelle Alexander argues that America's criminal justice system functions as a new type of racial control, targeting black men through the "war on drugs." Millions of black people arrested for minor crimes are marginalized and disenfranchised, trapped by a criminal justice system that labels them felons for life and denies them basic rights. Alexander argues that a major social movement is needed to end the mass incarceration of black Americans. *Read an [excerpt](#) or buy [online](#).*



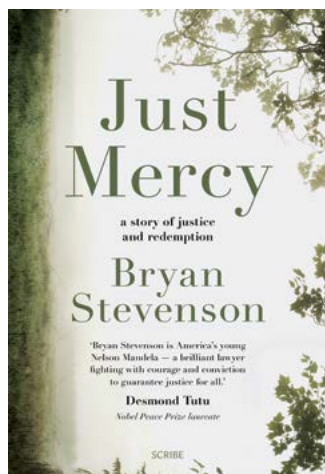
Locking Up Our Own: Crime and Punishment in Black America (2017) BY JAMES FORMAN JR.

In the 2018 Pulitzer Prize-winning book *Locking Up Our Own*, James Forman Jr. examines why the war on crime that began in the 1970s was supported by so many African American leaders in the country's urban centers. Forman, a former public defender in Washington, D.C., explains that the first substantial cohort of black mayors, judges and police chiefs took office amid a surge in crime and drug addiction. In response, these officials embraced tough-on-crime measures that would have unforeseen but devastating consequences for residents of poor black neighborhoods. *Read an [excerpt](#) or buy [online](#).*



Charged: The New Movement to Transform American Prosecution and End Mass Incarceration (2019) BY EMILY BAZELON

In *Charged*, journalist and legal commentator Emily Bazelon argues that the lawyers who work in the more than 2,000 prosecutors' offices around the country bear much of the responsibility for over-incarceration, conviction of the innocent and other serious criminal justice problems. To show the power of prosecutors, Bazelon tells the stories of two young criminal defendants to demonstrate how having the right—or wrong—prosecutor can make a huge difference in the outcome of a case. *Read an [excerpt](#) or buy [online](#).*



Just Mercy: A Story of Justice and Redemption

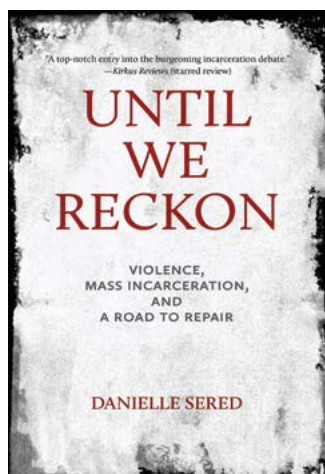
(2015) BY BRYAN STEVENSON

In this *New York Times* best-selling memoir, Bryan Stevenson, founder of the Equal Justice Initiative, recounts his struggle against injustice as an activist lawyer. Stevenson and his staff have won reversals, relief or release for over 125 wrongly condemned prisoners on death row. This book focuses on one of his first cases, that of Walter McMillian, a young man who was sentenced to die for a notorious murder that he insisted he didn't commit. The case transformed Stevenson's understanding of mercy and justice forever. [Read an excerpt](#) or [buy online](#).



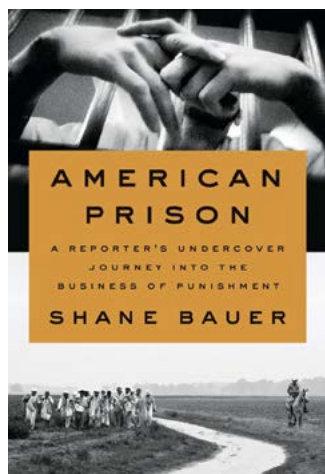
The End of Policing (2017) BY ALEX S. VITALE

Alex S. Vitale explores the tainted origins of modern policing as a tool of social control that reinforces race and class inequalities in *The End of Policing*. He argues that the expansion of police authority in America is inconsistent with community empowerment, social justice and even public safety. Vitale, a professor of sociology, calls for an ideological reframing of policing, where people are given the programs and resources they need to solve problems within communities in ways that do not involve police, courts or prisons. [Buy online](#).



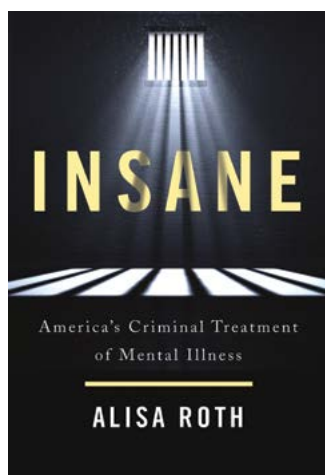
Until We Reckon: Violence, Mass Incarceration, and a Road to Repair (2019) BY DANIELLE SERED

Widely recognized as one of the leading proponents of a restorative approach to violent crime, Danielle Sered, head of Common Justice, wants America to reconsider the purposes of incarceration. She argues that the needs of survivors of violent crime are better met by asking people who commit violence to accept responsibility for their actions and make amends in ways that are meaningful to those they have hurt. This approach will help end mass incarceration, which has come at a great cost to communities, survivors, racial equity and democracy. [Buy online](#).



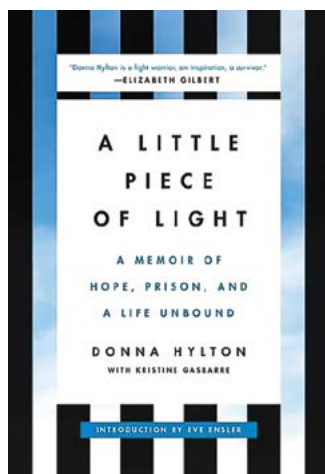
American Prison: A Reporter's Undercover Journey Into the Business of Punishment (2018) BY SHANE BAUER

Investigative reporter Shane Bauer spent four months undercover as a guard at Winn Correctional Center, a private prison in rural Louisiana. What he witnessed is horrifying—multiple stabbings, scores of “use of force” incidents and atrocious medical care. In *American Prison*, one of *The New York Times* best 10 books of 2018, Bauer comes to learn that every management decision at Winn is dictated by one imperative: maintaining profitability by squeezing expenses. *Buy [online](#).*



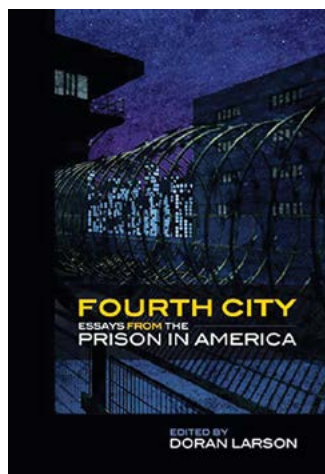
Insane: America's Criminal Treatment of Mental Illness (2018) BY ALISA ROTH

In jails and prisons across the United States, mental illness is prevalent and detainees don't get the treatment they need, writes journalist Alisa Roth. Correctional officers are faced with impossible burdens and are forced to act as mental health providers even though they are not adequately trained. Roth argues that most mentally ill prisoners would be better served outside the prison system, and that most prisons would be more effective without such a population incarcerated. *Buy [online](#).*



A Little Piece of Light (2018) BY DONNA HYLTON

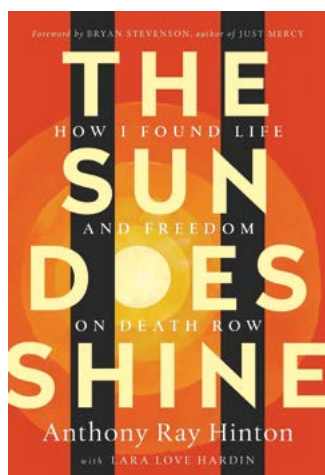
Donna Hylton's memoir recounts a nightmare of abuse in her early life that left her feeling worthless and the horrific crime she participated in as a 19-year-old that led to a nearly three-decade-long prison sentence. Hylton shares how she took back her life behind bars with the help of her fellow detainees and came to thrive while incarcerated. Since her release in 2012, she has emerged as a leading advocate for criminal justice reform and women's rights who speaks to politicians, violent abusers, prison officials, victims and students to tell her story. *Buy [online](#).*



Fourth City: Essays from the Prison in America

(2014) EDITED BY DORAN LARSON

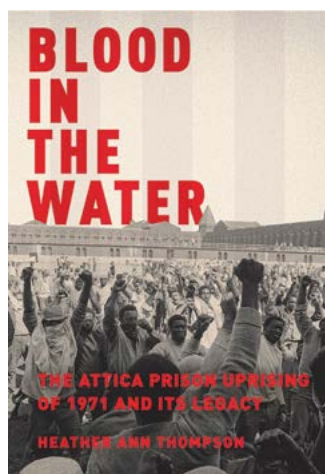
Scores of incarcerated Americans from states across the country share their first-person accounts of coping, surviving and evolving in *Fourth City*, a title referencing the size of the country's prison population. The essays document the detainees' efforts at self-help, the institutional resistance such efforts nearly almost always meet, and the impact, in money and lives, that this resistance has on the public. *Buy [online](#).*



The Sun Does Shine: How I Found Life and Freedom on Death Row

(2018) BY ANTHONY RAY HINTON

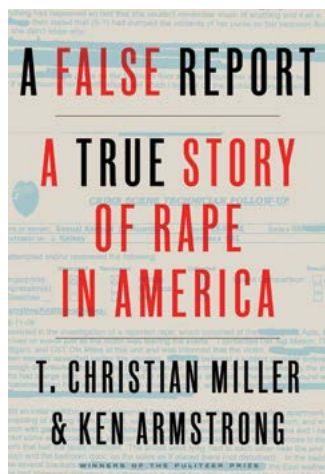
Anthony Ray Hinton was poor and black when he was convicted of two murders he did not commit. For the next three decades he was trapped in solitary confinement on death row, but remarkably was able to replace anger and despair with hope and self-respect. Eventually his case was taken up by lawyer Bryan Stevenson, who managed to get him exonerated, though it took 15 years. *Buy [online](#).*



Blood in the Water: The Attica Prison Uprising of 1971 and its Legacy

(2016) BY HEATHER ANN THOMPSON

Heather Ann Thompson, a history professor at the University of Michigan, spent over a decade researching America's most deadly prison riot at Attica Correctional Facility in New York. In this Pulitzer Prize-winning book, she reveals the crimes committed, who committed them and how they were covered up. Thompson discovers that the rebellion's roots lay in the many daily indignities of prison life: lack of showers, insufficient toilet paper, inadequate medical care and the near-constant disrespect expressed by many of the inmates' keepers. *Buy [online](#).*

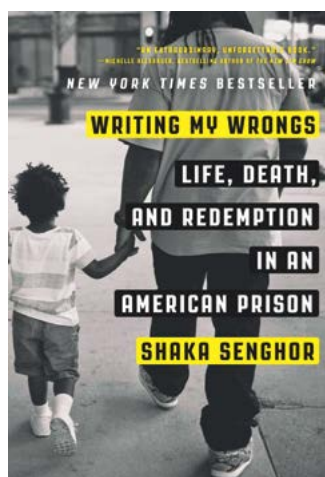


A False Report: A True Story of Rape in America

(2018) BY T. CHRISTIAN MILLER AND KEN ARMSTRONG

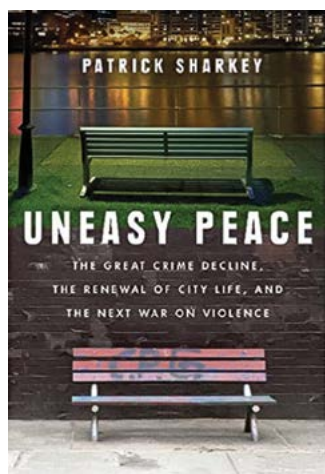
Two Pulitzer Prize-winning journalists tell the riveting true story of Marie, a teenager who was charged with lying about having been raped, and the detectives who followed a winding path to arrive at the truth. Following up on their early reporting about Marie for *The Marshall Project*, the authors present a story about a victim who wasn't believed, a rapist who almost averted capture and a system of justice that failed the very people it is supposed to protect.

Buy [online](#) or read the original article at [The Marshall Project](#).



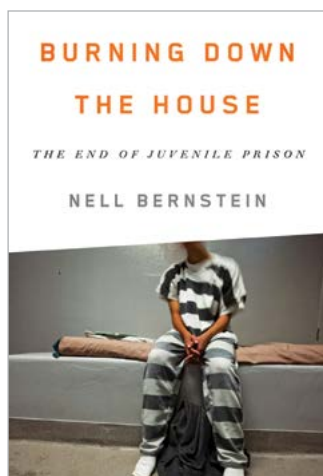
Writing my Wrongs (2016) BY SHAKA SENGHOR

During his 19-year incarceration, seven years of which were spent in solitary confinement, Shaka Senghor discovered literature, meditation, self-examination and the kindness of others. In *Writing My Wrongs*, Senghor explains how he used these newly discovered tools to confront the demons of his past, forgive the people who hurt him and begin atoning for the wrongs he had committed. Upon his release at age 38, Senghor became an activist and mentor to young men and women facing circumstances like his. Read an [excerpt](#) or buy [online](#).



Uneasy Peace: The Great Crime Decline, the Renewal of City Life, and the Next War on Violence (2018) BY PATRICK SHARKEY

Over the past two decades, American cities have experienced a sharp drop in violent crime, sparking a rebirth in urban life, improving school performance and public health outcomes, explains sociologist Patrick Sharkey in *Uneasy Peace*. He finds it likely that at least some of the decrease may be due to aggressive policing and an increasingly punitive criminal justice system. But the criminal justice system of the future—and the strategies used to keep violent crime low—will require a method that's entirely different from the past. Buy [online](#).



Burning Down The House: The End of Juvenile Prison

(2014) BY NELL BERNSTEIN

Journalist Nell Bernstein spent years covering the juvenile justice system, and has interviewed hundreds of young people in detention facilities. In *Burning Down the House*, she shares tragic stories of young lives wasted by unreasonably harsh and dangerous justice policies. Instead of helping troubled kids get their lives back on track, detention usually makes their problems worse and sets them in the direction of more crime and self-destructive behavior. *Buy [online](#).*



Criminal Justice Reform Organizations

In addition to the organizations cited throughout the toolkit, the following list provides a sampling of the many organizations that can provide resources and reporting to help you engage in the movement to end mass incarceration.

Whether you are just getting started or are ready to take action, these organizations can help you learn more about the issues—from the cradle-to-prison pipeline to the challenges of reentry—and provide examples of those who are already taking action and working for change.

- ▶ **#Cut50** is a national bipartisan effort to smartly and safely reduce America's incarcerated population by 50 percent over the next 10 years.
- ▶ **ACLU Campaign for Smart Justice** is a multiyear effort through its chapters in every state to reduce the jail and prison population by 50 percent and combat racial disparities in the criminal justice system.
- ▶ **Anti-Recidivism Coalition** advocates for fair policies in the juvenile and criminal justice systems and provides a supportive network and reentry services to formerly incarcerated individuals.
- ▶ **Brennan Center for Justice** is a nonpartisan policy think tank. Its Justice for All division offers cutting-edge research and analysis on ways to reduce mass incarceration by creating a rational, effective and fair justice system.
- ▶ **College and Community Fellowship** advocates for educational opportunities for women with criminal convictions so that they, their families and their communities can thrive.
- ▶ **Color of Change** is the nation's largest online racial justice organization, helping people respond effectively to injustice in the world. It focuses on challenging and changing injustices in the industries that affect black people's lives.
- ▶ **Essie Justice Group** offers tools and resources for women with incarcerated loved ones to heal their families and communities, as well as advocate for ending mass incarceration.
- ▶ **Equal Justice Initiative** is committed to ending mass incarceration and excessive punishment, challenging racial and economic injustice, and protecting basic human rights for the most vulnerable people in American society.
- ▶ **Families Against Mandatory Minimums** works at the state and federal levels to create smart sentencing laws that protect public safety.
- ▶ **JustLeadership USA** empowers people most affected by incarceration to drive policy reform. They have a national network of previously incarcerated leaders with deep knowledge on the issues committed to advocating for change.
- ▶ **The Marshall Project** is a nonprofit news organization that generates extensive high-quality media coverage of all dimensions of the criminal justice system and its impact.
- ▶ **National Institute for Criminal Justice Reform** provides technical assistance, consulting, research and organizational development in the fields of juvenile and criminal justice, youth development and violence prevention.
- ▶ **A New Way of Life Reentry Project** provides housing, case management, pro bono legal services, advocacy and leadership development for women rebuilding their lives after prison.

- ▶ **Pew Trusts Public Safety Performance Project** works with states to advance data-driven, fiscally sound policies and practices in the criminal and juvenile justice systems that protect public safety, ensure accountability and control corrections costs.
- ▶ **Reform Alliance** is committed to changing mass supervision laws—probation and parole policies—that will have the greatest impact on the largest number of people.
- ▶ **Safety & Justice Challenge** provides support to local leaders from across the country who are determined to tackle one of the greatest drivers of overincarceration in America: the misuse and overuse of jails.
- ▶ **The Sentencing Project** promotes reforms in sentencing policy, addresses unjust racial disparities and advocates for alternatives to incarceration.
- ▶ **Solitary Watch** is a watchdog group that investigates, reports and disseminates information on the use of solitary confinement.
- ▶ **Stepping Up Initiative** works to educate prosecutors and judges across the country to divert people with mental illness from the criminal justice system into treatment alternatives.
- ▶ **The Vera Institute of Justice** generates innovative research and supports pilot projects to build and improve justice systems that ensure fairness, promote safety and strengthen communities.

Taking Action — Working for Change

- ▶ Getting Started
- ▶ Voting for Reform & Policy Change
- ▶ Working Toward Bail Reform
- ▶ Ending Solitary Confinement
- ▶ Supporting Families & Children
- ▶ Helping Incarcerated People
- ▶ Providing Reentry Support
- ▶ Creating Expungement Events



Getting Started

Mass incarceration is a monster of a problem. Many in the faith community have long provided much-needed pastoral presence and chaplaincy to support the incarcerated. Efforts have often taken the form of prison ministries, as faith leaders and volunteers go into jails and prisons to provide comfort and strengthen faith among the incarcerated.

In the pages that follow, this toolkit spotlights other valuable ways that congregations can take action to help both the people who are behind bars and the families that struggle without them. We hold up examples of congregations already engaged in **Inspiring Work** to model the commitment and impact that can be achieved. We share **Voices** of people whose lives have been devastated by mass incarceration to deepen our understanding of their lived experience. Most importantly, each **Action Section** provides guidance on how your congregation might get involved to tackle a piece of this enormous human rights crisis.

“Find ways to get proximate,” Bryan Stevenson says, because proximity “is a pathway through which we learn the kinds of things we need to know to make healthier communities.” Each Action Section offers concrete ways to get proximate, as well as ways to engage with others to build the groundswell of momentum for policy change. The goal is for today’s efforts to lead to the systemic change that our faith and moral compass demand.

The sections that follow include:

- ▶ Voting for Reform & Policy Change
- ▶ Working Towards Bail Reform
- ▶ Ending Solitary Confinement
- ▶ Supporting Families & Children
- ▶ Helping Incarcerated People
- ▶ Providing Reentry Support
- ▶ Creating Expungement Events

We hope you find an issue and an action opportunity that will energize your congregation—either as a first step or to expand on efforts that your congregation is already undertaking. Many churches, temples and mosques start with one project and find that their commitment and energy grows into multiple activities as they learn together and work to localize the impact of national campaigns.

STEPS TO GET STARTED

Share what you have learned and educate your congregation with the resources and information provided here.

Consider forming a social justice ministry as a framework for your congregational outreach and set up a regular schedule of planning meetings. The Social Justice Ministry group at Ebenezer Baptist Church meets every Saturday morning from 9 to 11 a.m., sometimes at the church and sometimes in other community spaces to broaden its reach.

Work through all your ministries. Women’s, men’s and youth groups all have roles to play. Bible study and book groups can advance congregational education and understanding as well.

Set goals. Think about how you can help individuals today while working toward policy change. Ask individuals with direct experience with incarceration what help is needed and what policy changes need to be addressed.

Reach out. Partner with others in your community—the local chapter of criminal justice organizations, government agencies involved in corrections and reentry, justice partners among public defenders and law firms with a pro bono practice, social service agencies, homeless shelters and substance abuse programs. You will learn from each other, discover shared values and build strength.

Get proximate and remember that the people with lived experience have the knowledge and moral authority to be at the forefront of change.

Leverage the impact of media. Coverage of your activities provides the opportunity to educate a broader public and create a constituency for change.

Vote and educate, and enable others to vote.

There isn’t an election that doesn’t count in driving reform, from school board to mayor, district attorney to judges, state and federal elected representatives. They are all key to fundamental and lasting decarceration.



Voting for Reform & Policy Change

ISSUE BRIEF

Faith-based communities have been involved in fighting social injustices for years and now is an urgent time to recommit to that calling. Decades of overincarceration have devastated tens of millions of lives, costing hundreds of billions of taxpayer dollars that should have been spent on building up communities instead of tearing them down. There are many areas in which faith-based communities can become involved in advocacy, plugging into existing campaigns that need the help your community can offer. You will find a variety of ideas throughout this toolkit—and the more we all learn, the more we realize it's time to do right by our beliefs, morals and democracy.

This section focuses on the tool of the ballot box. There is power in mobilizing your community to vote, and many of the elected representatives and officials on the ballot have the capacity to contribute to systemic change in the criminal justice system. We need to choose the right people—not just at the top of the ticket, but also for county commissioners and city council members who often control jail policy, judges who determine sentences, the mayor who appoints the police chief, and the district attorney who decides who is going to be prosecuted.

Most Americans do not realize the great impact these elected officials have on the criminal justice system. Do you remember the last DA elected to office in your community? Probably not.

We do not pay much attention to the actions of our local district attorneys, even though we should. District attorneys and their deputies have immense discretion over the way justice is dispensed.

A district attorney is the chief prosecutor for a local government area, usually a county, who leads a team of prosecutors, also known as deputy district attorneys. Prosecutors are the ones who make the daily decisions about whether to charge and how severely to punish defendants. The DA directs his or her team of prosecutors on how to do their jobs—whether it's a “tough on crime” stance or one that is focused on a proportional response and alternatives to incarceration. Criminal justice experts say that, in the past three decades, the aggressive charging and sentencing policies of DAs have filled America's jails and prisons. But just as they have driven the mass incarceration crisis, they can also bring it to an end.

The ACLU and others have been raising awareness about the power of DAs and prosecutors in America's cycle of mass incarceration and their power to change the legal system. A poll conducted by the ACLU shows that voters of every persuasion, in both red and blue states, strongly prefer elected prosecutors who are committed to reducing incarceration, tackling racial disparities and being transparent. “District attorneys can invoke the power of the state to seek the death penalty or permanent imprisonment,” says the ACLU. “At the other end of the spectrum,

“Administer true justice, show mercy and compassion to one another.”

Zechariah 7:9

KEY FACT

America spends over **\$80 BILLION** a year on incarceration.

SOURCE: THE BROOKINGS INSTITUTION

KEY FACT

Local governments spend **\$22 BILLION** on jails alone.

SOURCE: VERA INSTITUTE

KEY FACT

An estimated
1 IN 3
 adults has a
 criminal record.

SOURCE: NATIONAL
 EMPLOYMENT LAW PROJECT

they can decline to prosecute a crime at all.” There are about 2,400 elected DAs in the United States. The ACLU and others are encouraging citizen engagement in local elections to help elect those who are committed to criminal justice reform. Following their recent efforts, a number of progressive prosecutors were elected in the 2018 midterms. Faith-based organizations can join the movement too and encourage citizens to pay attention and vote.

Faith-based community involvement is also needed in the area of voting rights. The Sentencing Project estimates that nearly 4.7 million Americans with a felony conviction are kept from the ballot box because they live in states where people on probation or parole are not permitted to vote, even though they completed their sentences. Because of racial disparities in the criminal justice system, communities of color have higher rates of voter disenfranchisement. Due to a felony conviction, 1 in 13 African Americans of voting age is disenfranchised—a rate four times greater than that of nonblack people. While some states have reformed their felony disenfranchisement policies, there is still more work to be done.

And advocacy must continue once people are elected into office. Efforts like Campaign Zero to end police violence and the excessive

arrests that target people of color offer specific [policy recommendations](#) you can advance in your community. National organizations like the Drug Policy Alliance provide [detailed guidance](#) on how you can effectively bring your concerns and policy recommendations to elected representatives.

VIDEO RESOURCES

The Power of Prosecutors

(2018, 5 MINS)

This short film, produced by the ACLU and Brooklyn Defender Services, examines the power of government officials charged with investigating and prosecuting crimes. It explores the nearly unlimited influence of prosecutors in making the most consequential decisions in a criminal case, as well as their collective potential to end mass incarceration. [Learn more or watch now on Brooklyn Defender Services.](#)

Florida’s Disenfranchised

(2016, 6 MINS)

Produced by *The Guardian*, “Florida’s Disenfranchised” talks to people who have lost their right to vote and the fight to regain that right. It features Desmond Meade, a formerly homeless returning citizen who eventually becomes the president of the Florida Rights Restoration Coalition, which works on felony disenfranchisement. [Watch now at The Guardian.](#)



John Pfaff, Professor and author of *Locked In*, is featured in the short film *The Power of Prosecutors*.

GET ACTIVE FOR POLICY REFORM

In advance of the 2018 midterm elections, the ACLU of Massachusetts **started a public education campaign**, [What a Difference a DA Makes](#), to raise awareness about the power of district attorneys. It partnered with a number of faith-based organizations, including the [Greater Boston Interfaith Organization](#) (GBIO), a group of over 40 religious congregations fighting for social justice. GBIO member [Temple Israel](#) wanted to educate its congregation about the DA elections and invited the ACLU to give a presentation at Temple. **Congregants also attended court hearings** through ACLU’s [Court Watch](#) program

to better understand how their DAs' daily decisions affect community members. On Election Day, due to the education and outreach efforts of many organizations, Boston voted in a number of candidates who advocated for criminal justice reform.

If your community is interested in working to elect a more progressive DA, **start by watching these short videos by the ACLU**. They are an ideal tool to educate your congregation about the vital role DAs play in the criminal justice system.

In 2017, a broad group of organizations, including faith groups, joined together in Philadelphia to form [A Coalition for a Just DA](#), part of a massive effort to help elect a district attorney committed to ending mass incarceration in the city. **Read the sidebar story to learn more** about how the interfaith justice group POWER, led by Rev. Gregory Holston, successfully mobilized its congregation to reach tens of thousands of voters and helped elect Larry Krasner, dubbed "America's most progressive DA."

Many of the groups that worked to elect Krasner are now seeking a more progressive judiciary, which they see as another important step in criminal justice reform in Philadelphia. Given that voters are often unclear about who to vote for in these type of elections—or even that they can vote—a coalition called the [Judge Accountability Table](#) has stepped in to fill the void. They sent [questionnaires](#) to the candidates about their positions and posted the answers on their website, where Judge Accountability also published [its own platform](#). They also held a public forum where citizens, including some who were formerly incarcerated, directly asked the candidates questions like, "What can the courts do to heal the harms caused to our communities by the criminal justice system?"

If your congregation is interested in deepening its engagement, consider using the above strategies to help educate the public on candidates' positions.

Philadelphia is a great example of how the collective work of many can move the needle when it comes to

changing the unfair policies that have led to mass incarceration. "Right now, pound for pound, no city is abolishing the systems and structures of mass incarceration better than Philadelphia," civil rights activist Shaun King said on his podcast [The Breakdown](#). King was speaking after retired police officer and civil rights leader Rochelle Bilal unseated the incumbent in the Democratic nomination for city sheriff, clearing the way for her to become the first African-American woman elected to the office in November. "We need Rochelle Bilals all over the country," he said. "We need women just like Rochelle to come in and change these systems from the inside out. She was the head of the black police union in Philadelphia and regularly fought against racism and brutality in the department." **If your community needs inspiration, tell them about the grassroots interfaith efforts that are helping to reform criminal justice in Philadelphia.**

Clearly, a major part of the success in the examples above comes from mobilizing votes—and your congregation can help. **Consider participating in or starting a voter registration drive in your state** to help get out the vote. See the American Association of University Women's [guide to organizing a voter registration drive](#) or reach out to them for help. You can help get out the vote by matching drivers who can offer rides to and from the polls on Election Day with those who lack transportation.

You can also **work to restore the right to vote to people with felony convictions**. See the Brennan Center's [overview of criminal disenfranchisement laws](#) to find out where your state stands when it comes to felony disenfranchisement and see their [communities of faith initiative](#) to learn more. Faith in Action works on [voting rights](#) for those with a prior felony and has a [network of offices](#) around the country. The Sentencing Project also has this page on [felony disenfranchisement](#) and offers a [directory of state and local partners](#) in criminal justice advocacy that may be helpful.

Whatever you decide is the right action for your congregation, remember: **Don't go it alone**. There is power—and successful outcomes—in partnerships.



Rev. Gregory Holston, Senior Pastor, New Vision United Methodist Church and Executive Director, Philadelphians Organized to Witness, Empower and Rebuild (POWER).

INSPIRING ACTION

Rev. Gregory Holston
PHILADELPHIA, PENNSYLVANIA

POWER has been involved in a number of social and economic justice campaigns since its founding in 2010 and was part of a coalition of faith groups, unions and social justice activists that successfully fought to raise the living wage for all Philadelphia contracted and subcontractor workers. But the 2014 decision by a Missouri grand jury not to indict a white police officer in the fatal shooting of Michael Brown, an unarmed black man, proved to be an inflection point for POWER, which represents over 50 congregations and nearly 50,000 individuals in Southeastern and Central Pennsylvania.

"What was happening in Ferguson made us look back here in Philadelphia and drew us into doing criminal justice work," Holston says. At the time, Philadelphia had the highest incarceration rate of America's 10 largest cities. Within two months of the Michael Brown decision, POWER had joined a coalition of activist and interfaith groups and thousands of protesters on Martin Luther King Day marching for social justice causes and calling for an end to stop-and-frisk policing.



A Coalition for a Just DA created a comprehensive vision document available on their [website](#).

"If Mike Brown wasn't stopped he wouldn't be killed," Holston says. "So many of the murders during that time were due to illegal stop-and-frisk."

As POWER became increasingly interested in criminal justice issues, it began an education campaign so its congregations would understand the problems associated with America's system of justice, particularly in Philadelphia. The group held an interfaith service called "The Seven Last Words of Seven Black Lives"—a reference to the Good Friday tradition of remembering The Seven Last Words of Christ—to draw attention to the seven unarmed African American men killed by police, including Michael Brown. It hosted a screening of the Oscar-nominated film *13th* to help inform congregations about America's prison industrial complex and why a hugely disproportionate number of prisoners trapped in it are African American.

Before Philadelphia's 2017 midterm elections, POWER became part of [A Coalition for a Just DA](#), a group that would come to include over 20 national and local organizations including the ACLU, Color of Change and Media

Mobilizing Project. The coalition joined many other groups, including the Working Families Party, 215PA and Reclaim Philadelphia, with a collective goal of electing a new district attorney committed to "decarceration," or reducing the number of people imprisoned in the city. They were looking for a progressive candidate who would promise to reform stop-and-frisk, the cash bail system, probation and a number of other pressing criminal justice issues. Larry Krasner, a civil rights attorney, fit the bill.

Armed with knowledge about the interwoven problems in the criminal justice system, POWER's congregants were ready to get down to work. They would become part of a wide coalition of individuals and organizations that shared a deep belief that they could all benefit by working together—and work they did. Across Philadelphia, they coordinated door-to-door efforts, mobilized people who would not have otherwise voted and hosted a large forum where candidates for district attorney faced tough questions from people directly impacted by incarceration.

"People in our congregation knocked on doors and talked to voters in the community about what was at stake," says Holston, now POWER's executive director. They handed out voter guides that laid out the issues and presented the positions of candidates for district attorney. They attended town hall meetings and questioned the candidates running for office. They called voters and explained why it was so important for citizens to cast their ballots. And then on Election Day, "they took people to the polls and made sure people got out and voted," Holston says.

"The effect of working through POWER, the Working Families Party and this really broad-based coalition was to help elect Larry Krasner with the wide margins that he had," Holston says. In the end, Krasner won with an astonishing 75 percent of the vote with a general election turnout that hit 200,000—almost 75,000 more than the previous two general elections.

In his first week on the job, Krasner fired 31 prosecutors from the DA's office because they weren't committed

to the changes he intended to make. He sent his staff a five-page guiding document of new policies that he described as "an effort to end mass incarceration and bring balance back to sentencing." Within days of taking office, Krasner fulfilled one of his campaign promises announcing that he would no longer request bail for people charged with 25 low-level offenses. After Krasner's first year in office, Philadelphia's prison population dropped from about 6,500 the month before he took office to around 4,700.

For interfaith communities to get involved in criminal justice reform, Holston emphasizes that education needs to start at the top. "The first thing congregations need to do is have informed clergy...because people in that congregation will respond to leadership," he says. He suggests that faith leaders distribute teaching materials to their communities and then work on developing a strong internal team, identifying a handful of people in each congregation committed to organizing. "Organizing is about building one-on-one relationships with people," he says. Once that organizing committee is established, its members can have personal conversations with other members of the congregation to help educate and mobilize them.

From there, Holston says members should be encouraged to visit elected leaders and challenge them on the decisions they make. "Our congregations will go meet with elected leaders, whether it's city council members, state representatives or state senators," he says. "We have the most power when regular folk are sitting at the table, talking to leaders, building relationships and challenging those leaders to change what they are doing." Once your community is invested, they can get involved in direct actions as POWER did in its work that helped elect Krasner.

POWER is a member of [Faith in Action](#), the national community organizing network representing 35 denominations and faith traditions including Catholic, Mainline Protestant, Evangelical, Non-Denominational, Jewish, Muslim, and Buddhist, among many others.



Working Toward Bail Reform

ISSUE BRIEF

Over 10 million times a year, someone is sent to jail due to a charge against them. By law, a suspect is presumed innocent until proved guilty. People can be released from jail if a judge determines they are not a threat to the public; sometimes they are asked to post bail. The bail requirement is intended to ensure that people who have been arrested return to court as required. But over the past decades the requirement for posting “money bail” has dramatically increased the number of people held in “pretrial detention.” Between 1990 and 2009, the proportion of people arrested who were required to post money bail grew from 37 percent to 61 percent.

This system puts poor people at a huge disadvantage. Even a relatively modest cash bail amount is often unaffordable. For example, in New York City, 89 percent of people in jail could not afford to post bail, even though 38 percent had a bail requirement of \$1,000 or less. People charged with the same crime who can afford to pay the cash bail required are able to walk free until their court date.

For people stuck in jail because they are unable to afford the cash bail, consequences can be severe and cascading. Since they can’t go to work, they may lose their job. Without a paycheck, their housing is in jeopardy. This can put whole families at risk. For an incarcerated parent, how their children are coping and who is

caring for them are also major issues. And while they worry about what is happening on the outside, people behind bars may also be subject to violence and other traumas from correction officers or defendants held in the same facility.

While money bail is unfair to all poor people who are arrested, the burden falls especially heavily on blacks. It is well documented that racial inequities exist throughout the justice system in America. Blacks are more likely to be searched and to experience use of force by police, they are more likely to be charged, and they are more likely to be incarcerated. When black people come before a judge they are also more likely than white defendants to have money bail set.

Recent research in Miami and Philadelphia indicates bail judges are often racially biased. Evidence suggests that judges exaggerate the danger of releasing black defendants pending future court dates. This presents an impossible financial burden. According to the [Prison Policy Initiative](#), black men and women ages 23 to 39 being held in local jails had median monthly earnings of between \$568 and \$900 the month prior to their arrest. The median bail for a felony arrest, meanwhile, is \$10,000—a sum most arrested individuals and their families would simply be unable to pay.

Because court schedules are backed up in many jurisdictions, the length of time that a person is jailed can turn from weeks to months—and for some, even to years. The psychological pain of

“Do not exploit the poor because they are poor and do not crush the needy in court.”

Proverbs 22:22

KEY FACT

On any given day, an estimated

462,000

people are locked up in jails nationwide because they cannot afford to pay bail.

SOURCE: PRISON POLICY INITIATIVE



From *Here's the Problem With the Cash Bail System* — “The easiest way to think about the cash bail system is that it’s criminalizing poverty.”

this can be devastating. The hopelessness, worry and isolation can lead some incarcerated people to opt for a plea bargain. Public defenders say impoverished defendants often plead guilty to reduced charges simply to end incarceration, even as they maintain their innocence.

Another option for people who can’t afford bail: turn to a bail bond agent. Defendants or their families have to provide a nonrefundable fee to the bail bond agent, or put up their car or their home as collateral pending installment payments. If they miss a payment, their property can be seized. The bail bond business, as with many other businesses that have developed around the criminal justice system, is extremely lucrative. It reaps more than \$2 billion in profit each year, according to a [2017 report](#) by nonprofit civil rights advocacy group Color of Change and the ACLU’s Campaign for Smart Justice. This is money drained out of families and communities. Over a five-year period just in the state of Maryland, families of those accused of crimes who were cleared of wrongdoing spent approximately \$75 million in nonrefundable bail-bond payments, according to the report.

Change is coming. In recent years several district attorneys have started to eliminate cash bail for certain low-level offenses to reduce the number

of people held in “pretrial detention.” Cook County State’s Attorney Kim Foxx, Brooklyn DA Eric Gonzalez and newly elected Philadelphia DA Larry Krasner are at the forefront of this movement, demonstrating the power of DAs and the need to focus voters on the candidates running for this position (see Taking Action—Voting for Reform & Policy Change). In 2018, the state of California eliminated cash bail, and recent state legislation in New Jersey and New York has also all but eliminated cash bail for low-level offenses. With more vocal advocacy from criminal justice reform allies and the faith community, other states may follow suit.

In the meantime, there is a growing movement to help people get out of jail by posting bail for them. Across the country, community members are setting up bail funds that pool donations to make bail for people who are behind bars. For example, the [Bronx Freedom Fund](#) is able to post up to \$2,000 bail for people charged with misdemeanors. Of the 600 people the Bronx Freedom Fund has bailed out since 2007, 55 percent had their charges dismissed. Across the country, [The Bail Project](#), the [Black Mama Bail Out](#), the Father’s Day bailout and other bail fund efforts are providing immediate relief to tens of thousands of people, restoring their right to freedom pending their day in court.

VIDEO RESOURCES

Here’s the Problem with the Cash Bail System (2018, 4 MINS)

In less than 4 minutes, [this brief video produced by Global Citizen](#), provides a comprehensive overview of the problems with cash bail. While the narrator explains the injustices of the bail system, animated infographics make the concepts easy to grasp and remember. It’s an ideal tool to introduce your congregation to this criminal justice reform issue.

How the Bail Industry Targets Women (2018, 4 MINS)

This short video features powerful direct-to-camera commentary by mothers and sisters and wives who have struggled with money bail and been exploited by the bail bond industry.

NBC Dateline Reports on The Bail Project (2018, 14 MINS)

NBC Dateline reported on The Bail Project, a fast-growing national nonprofit bail fund that has bailed out almost 5,000 people to date. The [14-minute report](#) was produced in October 2018, when the total number of people bailed out only stood at 2,000. It includes interviews with project founder Robin Steinberg, as well as women in Oklahoma—many of them mothers—who were trapped in jail because they couldn’t make bail. The news segment reveals how Bail Project “bail disruptors” meet with incarcerated women to explain how the project will pay their bail. Viewers also hear from a tough-on-crime, conservative sheriff who thinks the time has come to take a new approach to bail. This video gets to the emotional heart of bail reform and the human toll of being held in jail due to poverty.



INSPIRING ACTION

Emmanuel Baptist Church BROOKLYN, NY



A landmark presence in the Clinton Hill neighborhood of Brooklyn for over 130 years, Emmanuel Baptist Church is a warm and welcoming congregation of 4,000 members that worships in a huge Gothic Revival cathedral. While Emmanuel has been involved in social justice issues, a few years ago its congregation and community members were feeling a new level of need for social justice change standing on principles of faith. Rev. Shareka Newton answered this call by launching “The Impact Ministry” under the direction of servant leader Jocelyn Walters. “We are a relatively young ministry,” says Walters, “and we operate with little budget, so I think that faith-based communities of any size could take on the same kinds of projects that we have been doing.” With 80 members in the Impact Ministry, Walters has been focusing on decarceration and active citizenship among other social justice goals. One of the Impact Ministry projects has been a very successful bailout campaign. “We understood that the broken New York cash-bail system could not be fixed simply by bailing out some people,” explains Walters, “Yet while we focused on true reform through elections and legislative change, we felt passionately that we should simultaneously liberate our neighbors right now.”

The [Brooklyn Community Bail Fund](#) already had the process in place to bail people out and a very successful track record. It has been able to free over 4,000 people accused of misdemeanors by paying an average bail of \$1,100. The Brooklyn fund follows up on the people they have supported, and 95 percent of their clients have returned for all of their court dates. Walters says, “We decided to partner with the Brooklyn Community Bail Fund to help them increase their capacity.”

The Impact Ministry strategically launched their **\$5 for Freedom Campaign** in early December. “The holiday timing puts everyone in the giving spirit,” says Walters, “and the thought

About fifty people gathered in Queens on Saturday, June 27, 2015, and placed a symbolic coffin of Kalief Browder at the entrance to Rikers Island. Police used parked vehicles and attack dogs to prevent the coffin from being placed any closer than next to the entrance sign. (FELTON DAVIS)

VOICES



Kalief Browder

BRONX, NEW YORK

Charged with stealing a backpack when he was 16 years old, Kalief Browder faced bail set at \$3,000.

Because his family couldn’t come up with the money, he languished in jail at Rikers Island for three years. Browder refused to take a plea and suffered beatings in jail and prolonged periods in solitary confinement. The case against him was dropped and he was finally released. But Browder could not escape the trauma of his incarceration, and committed suicide. For many Kalief Browder has become a tragic—and urgent—symbol of [the need for bail reform](#), and his story has inspired advocacy to end cash bail both in New York and nationally. Learn more about Browder’s story in [The Truth About the Money Bail Industry](#), narrated by John Legend. This short animated film produced by the Color of Change explains why the bail system has expanded and how it affects people.

of returning people home to their families for the holiday was extra motivation.” Emmanuel Baptist uses the online giving app [Givelify](#) and added an “Impact Bail Out” option. Members of the Impact Ministry pushed this link out beyond the congregation through their personal social networks, taking the opportunity to educate a larger circle of people about the need for bail reform. They also collected donations in person at church after Sunday services. “Many donors gave amounts far exceeding the \$5 in the campaign’s name, while some gave less. We found \$5 to be a great amount to *encourage participation at any level* within our community,” explains Walters. The \$5 for Freedom Campaign surpassed its \$2,500 goal, and Emmanuel Baptist then matched the total donated so that the Impact Ministry could present a check for \$10,000 to the Brooklyn bail fund. The impact didn’t stop there. An informational video about the consequences of money bail, the \$5 for Freedom Campaign and additional ways that people can get involved to change the system was produced, and the video was shared with the congregation in April. [Watch it here.](#)



The \$5 for Freedom Campaign utilized social media, such as this Facebook ad, to ask for support from the community to benefit the Brooklyn Bail Fund. The simple idea of just asking for \$5 was an enormous success.

SOURCE: THE IMPACT MINISTRY OF EMMANUEL SBAPTIST CHURCH

Ebenezer Baptist Church

ATLANTA, GEORGIA

Last year, Ebenezer Baptist Church joined with regional partners to raise money to bail people out of jail in time for Father’s Day and Juneteenth. Calling it the **Freedom Day Bailout Campaign**, Rev. Raphael Warnock launched the campaign from his pulpit. “We who believe in freedom cannot rest until we dismantle mass incarceration,” he said. Explaining the impact of money bail in filling jails, he said, “Part of how that happens is we criminalize poor people. We have effectively made being poor in America a crime.”

The problem of unaffordable bail requirements does not only arise from criminal charges. Across the country, people are being arrested and jailed for failure to pay fines and fees for everything from driving an unregistered car to parking tickets. “As we saw with the federal report on Ferguson, Missouri, poor people get caught up in the system, with fees and fines and then they end up in jail. If they have employment, they end up losing it; if they have children, their children end up in trouble. So this is a serious moral issue,” said Warnock.

The Freedom Day Bailout is just one of many efforts addressing mass incarceration that are part of the Ebenezer Baptist Church Social Justice Ministry, chaired by attorney Tiffany Roberts. “What we know is for a poor person, or a person of modest means, or even a middle-class family, a \$10,000 bond, which would be \$1,000 to the bondsman, might as well be a million dollars,” Roberts says.

The Ebenezer Social Justice Ministry is working on the roots of the problem through advocacy and voter education. “We are focusing on prosecutors in Fulton County and DeKalb County because prosecutors are powerful, deciding on charges and what cases to pursue,” Roberts says. “We are asking prosecutors not to ask for money bail. The Freedom Day Bailout specifically is focusing on people who are the victims of the war on drugs.”

The impact of the Freedom Day Bailout was amplified by extensive



media coverage. The Freedom Day campaign launched on June 6 last year to educate the community. Rev. Warnock and Tiffany Roberts spoke with the press about the goals of the fundraising campaign and the need for bail reform. [Watch the coverage](#) to hear important messages about the consequences of money bail.

GET ACTIVE TO WORK TOWARD BAIL REFORM

You can join the rising tide of momentum to end cash bail in your state by collaborating on legislative advocacy and voter education to elect prosecutors, judges, sheriffs and others who understand that money bail criminalizes poverty and subverts justice. **Get started by visiting the [ACLU's information on Bail Reform](#).**

The organizations in **LEARN MORE** can also build your knowledge of the issue and describe effective strategies to dismantle the bail system.

In the meantime, **increase the impact of a bailout project in your community by mobilizing the power of your congregation.** Around the holidays, focus your congregation on forgiveness and freedom by participating in a bailout. Join with groups that use **Mother’s Day** or **Father’s Day** to raise awareness of the women and men behind bars, separated from the families, because they can’t pay bail. Consider the historical significance of June 19 to bail out people on **Juneteenth** who have been denied freedom solely because they don’t have the money that would release them.

The **National Bail Out** is a coalition of black-led and black-centered organizations and individuals building a community led movement to end systems of pretrial detention. They have created a **National Bail Out Toolkit** that is an essential resource and a comprehensive guide to organizing a bailout effort. It is available to [download by request](#). NBO developed the **Mother’s Day #FreeBlackMamas** campaign three years ago, rallying partner organizations

to raise funds to bail out mothers so they could be with their children on Mother's Day. [Watch the campaign video](#). Organizations across the country partner in this effort, including SONG (Southerners on New Ground), which originated the Black Mama Bail Out concept, as well as The Philadelphia Community Bail Fund, the Essie Justice Group, Black Lives Matter Memphis, Texas Organizing Project and many more. **See if there is a partner in your region, or be the first.**

Each of these events is an opportunity for political education through [stories and media coverage](#). This year SONG produced a [Black Mamas Bail Out Haggadah insert](#), which reflects on what coming out of Mitzrayim means today and linking it to the Black Mama Bail Out as a way to put “values into practice to dismantle this system that destroys our humanity and breaks up black families.”

In June 2017, the **Color of Change** and the **Movement for Black Lives** kicked off the first **Father's Day Bail Out**, linked with **Juneteenth Freedom Day**. As reported in *The Root*, Pastor Kenneth Glasgow, executive director at the Ordinary People's Society, a partner in the launch effort, said, “Getting fathers out of jail for Father's Day is the emancipation proclamation of freedom. What we are doing is putting our money where our mouth is. Those who are active in the community are always committed to doing direct service work, advocating for laws and protesting to get poor people out of jail. But this time we are asking every organization, church, politician and advocate to put their money where their mouth is and get somebody out of jail.”

LEARN MORE

The Bail Project is rapidly expanding across the country with offices now in 14 cities and a five-year plan to extend their bailout power and free 100,000 people. The fund uses a growing fund to pay bail for people, and then when each person's case is resolved and the bail money is returned it goes back into the pot to bail out the next person. [Learn more](#) and check out

the interactive map to find out if a Bail Project office is near you.

Color of Change created a bail reform website called [No Money Bail](#) that provides comprehensive information on how you can advocate for change, participate locally in the bailout efforts and learn more about the tentacles of the money bail system.

“[Selling Our Freedom: How Insurance Corporations Have Taken Over Our Bail System](#)” is a joint report by **Color of Change** and the **American Civil Liberties Union's Campaign for Smart Justice** that documents how the for-profit bail industry fuels mass incarceration and perpetuates racial inequalities.

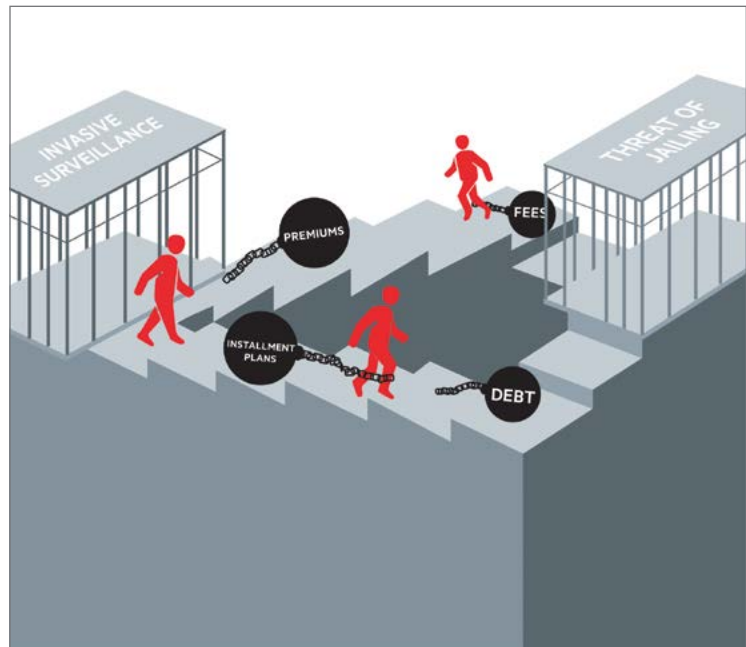
Vera Institute of Justice has a research and action focus on [reducing the use of jails](#) including information about the bail system and innovations in bail reform. [This article outlines](#) the impact of money bail on mothers in jail in Oklahoma, the state with the highest rate of incarceration.

Essie Justice Group is a California-based organization focused on the needs of women with an incarcerated

loved one, marshalling the power of these women to make change. Essie Justice Group advocates for an end to money bail in partnership with incarcerated and formerly incarcerated people, families and organizations across the country. The [Campaign to #EndMoney-Bail](#) on their website offers advocacy strategies and info on bailouts.

Global Citizen is an international nonprofit that has been active in bail reform advocacy in the U.S. [Visit its website](#) for current information on the impact of bail reform advocacy, as well as key messages on six myths about cash bail.

The Mass Bail Out Action was coordinated in the summer of 2018 to bail out hundreds of women and adolescents held at Rikers Island Jail. It was led by Robert F. Kennedy Human Rights in collaboration with JustLeadershipUSA, the Vera Institute of Justice, VOCAL-NY, The Bail Project and others. The Mass Bail Out was announced at the Global Citizen concert in Central Park. The [Action project website](#) is a powerful model for combining activism and advocacy.



An illustration from “Selling Our Freedom: How Insurance Corporations Have Taken Over Our Bail System.”



Ending Solitary Confinement

ISSUE BRIEF

While the term “solitary confinement” is familiar, few prison systems actually use that specific term, instead referring to the practice by names such as segregation, isolation, special management or restricted housing.

Whatever the term, the experience is largely the same. Solitary confinement is the practice of isolating people in small, closed cells for 23 hours a day—for days, months or even decades. A solitary cell is usually about 80 square feet, roughly the size of a parking spot, with a bed, sink and toilet. Food is delivered through a slot in the door. While the specific conditions in solitary vary from state to state and among correctional facilities, detainees are all denied meaningful human contact and connection to the natural world.

On any given day, an estimated 80,000 adult men and women are held in solitary confinement in prisons in America, along with thousands of adolescents. Studies suggest that the number would be even higher if all those held in jails and other detention facilities were counted.

People detained in solitary are not put there by judges or juries, but at the will and discretion of prison administrators. For most of the 20th century, a typical stay in solitary lasted just a few days. Today, it is rare for prisoners to spend less than 15 days in solitary, and the detention typically lasts at least 30 days. In fact, it is not uncommon for time in solitary confine-

ment to go on for months and years. Many people think solitary is used as an act of last resort, but inmates can be disciplined in prison for minor infractions—such as ignoring orders or using profanity—and end up in solitary.

The use of solitary increased in the 1980s and 1990s, when many states built super-maximum-security facilities. At least 44 states and the federal system now have supermax prisons, which are generally composed solely of solitary confinement cells.

Solitary confinement has been found to induce paranoia, anxiety, depression, psychosis and other mental health problems. It can cause lasting, serious psychological damage, and studies have shown that even 15 days in solitary confinement can cause irreparable harm. This problem is exacerbated by the fact that an estimated one-third to one-half of prisoners housed in isolation suffer from mental illness. Subjecting someone with a mental health disorder to solitary confinement worsens their condition. Healthy people who are forced into solitary may develop mental illnesses due to their isolation. Nationwide, half of all suicides in prisons take place in solitary confinement.

In 2014, Pope Francis said solitary confinement was a form of torture and drew attention to its negative effects. “The lack of sensory stimuli, the total impossibility of communication and the lack of contact with other human beings induce mental and physical suffering, such as paranoia, anxiety, depression, weight loss and

“Whoever destroys a single life is as guilty as though he had destroyed the entire world.”

Babylonian Talmud,
Sanhedrin 37a

KEY FACT

At least

80,000

incarcerated men, women and children are held in some form of isolated confinement on any given day.

SOURCE: SOLITARY WATCH

significantly increases the suicidal tendency,” he said. He called on people of faith and goodwill to fight for “the improvement of prison conditions in respect for the human dignity of those who have been deprived of liberty.”

In 2015, the United Nations recognized that holding men and women in isolation for months and years is a prolonged form of psychological torture, when it adopted the so-called Nelson Mandela rules for the treatment of prisoners. The rules prohibit solitary confinement for periods over 15 consecutive days.

Among Western industrialized nations, the United States is the only country to make extensive use of long-term solitary confinement. And yet, studies show that long-term isolation has no rehabilitative benefit and fails to reduce prison violence. In fact, people who have been placed in solitary confinement are more likely to commit crimes after their release than those who were not in solitary.

In recent years, following lawsuits, legislation and grassroots activism by interfaith coalitions and others, a number of states have taken steps to reduce the number of prisoners held in solitary. Mississippi, for example, has reduced the number of prisoners it holds in solitary from 1,000 to about 150, and closed down its supermax unit, saving over \$8 million in the process.

Still, there is much more work to be done on both the local and national level to stop the practice of prolonged solitary. Communities of faith across the country, such as the National Religious Campaign Against Torture (NRCAT), continue to call for restorative alternatives to stop this practice of extreme isolation for prisoners.

VIDEO RESOURCES

Solitary: Inside Red Onion State Prison (2017, 80 MINS)

Red Onion State Prison is a “supermax” facility in Virginia built to house people in solitary-confinement cells. This HBO documentary features interviews with several inmates who talk about their struggles to maintain sanity in the isolation of confinement. [Stream on HBO.](#)

Breaking Down the Box

(2015, 40 MINS)

This 40-minute documentary, produced by the National Religious Campaign Against Torture, explores the mental health, racial justice and human rights implications of solitary confinement.

[Watch on NRCT.](#)

Solitary Nation and the Last Days of Solitary

(2017, 113 MINS)

The PBS Frontline episode “Solitary Nation” offers an up-close, graphic look at a solitary confinement unit in Maine’s maximum-security prison with firsthand accounts from prisoners and staff. The production team returns to document the state’s effort to end the practice, and what happens to the former prisoners when they try to reintegrate into society. [Watch on PBS.](#)

INSPIRING ACTION

Unitarian Universalist Congregation

SHELTER ROCK, NEW YORK

When a congregation member at [Unitarian Universalist Congregation at Shelter Rock](#) in New York asked social justice coordinator Claire Deroche if she knew that people with mental illness were held in solitary confinement, she said, “I had no idea... We have to do something.” Deroche started educating herself about the issue and also learned about state actions through the NRCAT website. She then began organizing information sessions on solitary for her congregation, bringing in films like *Breaking Down the Box*, introducing former survivors of solitary and their families, and suggesting books like Michelle Alexander’s *The New Jim Crow*.

The congregation’s first action was to collect 500 signatures on a letter urging New York Governor Andrew Cuomo to end the practice of extended solitary confinement. Later, Unitarian Universalist joined the [New York state “Halt Solitary” campaign](#) working to get legislation passed in Albany. Besides collecting signatures and speaking with legislators in Albany, Unitarian Universalist activists also reached out

KEY FACT

It costs over
\$75,000
per year to house a person in solitary. That’s about three times as much as housing a person at a regular maximum-security prison.

SOURCE: SOLITARY WATCH



Claire Deroche, social justice coordinator, Unitarian Universalist Congregation at Shelter Rock in New York.

to Anna Kaplan, the New York state senator representing their district. They began by writing letters to Kaplan and sending petitions about solitary confinement, and later visited her several times both in Albany and her local district office. “Most legislators know nothing about this and it’s really important for us to educate them,” Deroche said. Congregation members and people who had survived solitary met with Kaplan to help her better understand the torment experienced in isolation. After several meetings, Kaplan signed on as a co-sponsor of the Humane Alternatives to Long-Term (HALT) Solitary Confinement Act when it was reintroduced in the New York State Legislature in 2019. “Because we are the biggest group of people working on the issue in her district, we played a big role in her signing on,” Deroche said. In addition to advocacy work, the Unitarian Universalist Congregation also raises community awareness by holding candlelight vigils as part of the national “[Together to End Solitary](#)” campaign organized by NRCAT, and they write letters to people in solitary confinement through the [Lifelines to Solidarity](#) program. “We are committed,” said Deroche, “to do all we can to bring this torture to a stop.”

GET ACTIVE TO END SOLITARY CONFINEMENT

Find out the status of solitary confinement policies where you live, and get involved with petitions and other actions. Start by searching the [Solitary Confinement Resource Center](#) for relevant information on your state, and find information about other groups working to end solitary confinement.

Educate your congregation

by sharing the recommended video resources. Contact the national organizations leading the fight to end solitary to find out if they can help you identify speakers locally whom you can invite to come and share their experiences.

Build empathy. If your house of worship has a parking lot, invite your congregation to go outside and stand in one parking space for an hour and imagine that is your whole world. Challenge members of your congregation to stay

VOICES



Pastor Benny Custodio

BROOKLYN, NEW YORK

When Hector “Benny” Custodio was sent to jail as a young man, he was a high-ranking member of the Latin Kings, one of the most feared gangs in New York City.

But nothing could prepare him for the horrors he would endure at Rikers, where he was held for almost four years in solitary confinement. “When you’re in there for that amount of time, you tend to lose who you are. You tend to lose your identity. You start regressing,” Custodio said. “You start doing things that are not normal of a human being. You start playing with feces. You start counting the different holes in the wall. You start befriending the roaches and the rats that come through. You begin to embrace this type of lifestyle.” Custodio said he contemplated suicide, but his mother’s words kept coming back to him. “She said, ‘Come home because I’m not going to be able to take it if they take you away from me and you take your own life.’ And I kept hearing that small, still voice in my mind while I was in the bing [solitary] and little did I know that it was God that kept talking to her and talking to me, not to give up.” After Custodio was released from solitary, he earned a master’s degree while incarcerated and is now an ordained minister. He recently completed his Ph.D. in ministry. Custodio is founder of the Brooklyn-based Never Forsaken Re-Entry Ministries, and senior pastor of Immanuel First Spanish United Methodist Church.

in their bathroom or other small space with the shades down to experience the discomfort of a solitary cell. They can share their experiences at your next meeting or service and on social media.

On the 23rd day of every month, NRCAT encourages faith leaders to **take part in “Together to End Solitary” actions**. The date represents the 23 hours each day a prisoner typically spends in solidarity. NRCAT has [helpful ideas](#) to empower your community, and encourages people of faith to [sign their statement](#) against solitary confinement.

Reach out to those suffering in solitary by starting a letter-writing campaign through [Lifelines to Solitary](#), an ongoing prison correspondence program for people in solitary confinement by NRCAT and Solitary Watch. You can invite a member from Lifelines to speak at your house of worship to help kick off your campaign. See their [guidelines for organizing a campaign](#) in your community.

Contact the Unlock the Box Campaign, a coalition of organizations and movement leaders who partner with state and local campaigns across the country that are working to end the use of solitary confinement.

KEY FACT**How big is a solitary confinement cell?**

Standard Porta-Potty
14.4 sq ft



Solitary Cell
84 sq ft



Horse Stable Stall
144 sq ft



Conventional School Bus
285 sq ft

SOURCE: FRONTLINE

“Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.”

Hebrews 13.3

KEY FACT

One in three detainees have some form of mental illness.

SOURCE: AMERICAN FRIENDS SERVICE COMMITTEE

VOICES

Evie Litwok NEW YORK, NY

Evie Litwok was in her 60s when she was locked in solitary for writing about conditions in the Florida prison where she was detained.

“In solitary, I lost track of time. Because the temperature was kept so low, I froze. I suffered from migraines and vertigo. I was claustrophobic, and at night I had terrible anxiety from being locked in,” Litwok said. Before she went to prison, her elderly mother, a survivor of the Auschwitz prison camp, warned Litwok that incarceration would be hard, but neither had expected Litwok to be locked in solitary. While there, Litwok was visited one day by a chaplain who slid a few pieces of matzo and grape juice through the small door slot used in solitary to distribute food and medication. “Knowing that I was Jewish, the chaplain had brought me this to honor the Sabbath,” she said. The gesture made Litwok cry, and she began to pray in her tiny cell. “Though I had no prayer book in solitary, I remembered the

prayers and songs I grew up singing on Jewish holidays. This comforted and centered me.

I remembered who I was, and that is what got me through the torture of solitary confinement. My mother was right—I was an aging inmate barely enduring incarceration. Yet faith made me strong, a survivor just like my mother.” Today, Litwok is the founder and director of Witness to Mass Incarceration, a storytelling, interviewing and organizing archival project that documents the lives of formerly incarcerated women and LGBTQ people.

[Read her story](#) on surviving solitary confinement.





Supporting Families & Children

ISSUE BRIEF

The impact of mass incarceration extends far beyond the person who is behind bars to that person's family and community. There are devastating emotional impacts as well as steep financial costs. A recent report, [Who Pays? The True Cost of Incarceration on Families](#), based on research by a coalition of 20 community-based organizations across the country, reveals that when we incarcerate individuals we also break apart their families and communities. With over 2.2 million people in jail, the magnitude of these collateral consequences is staggering.

Many families lose income when a family member is incarcerated and no longer contributing to the family budget. When fathers are incarcerated, family income can drop by an average of 22 percent. That reduction in resources often comes at a time when expenses are dramatically higher due to legal expenses, court fees and fines for the loved one facing charges. In America, women are increasingly being incarcerated, and 80 percent of these women are mothers with children under 18. Because they were often the primary caregiver, their removal puts a burden on the extended family—often grandparents—to assume responsibility for the children. Otherwise the children are sent to foster care and family fragmentation can be permanent.

The emotional toll on family members is heavy, as they are concerned for the safety and well-being of their

loved one behind bars. Family relationships damaged by substance abuse or other behaviors may also need repair, but constraints on visitation can impede that process of emotional reconciliation. Family members are often self-conscious about the perceived stigma of having an incarcerated loved one, so many families keep it a secret from people in their extended family, their house of worship and their workplace. This denies them the support of their social circle.

All of these impacts are especially hard on children. The arrest of a family member may be traumatic, and then they acutely feel the loss of their parent or sibling during incarceration. The children might also need to adapt to their family's dramatically changing circumstances. They may lose housing, experience food insecurity, and have to cope with changing schools and other major stresses. As the family is stretched by difficult circumstances, no one may be available to provide the children with emotional support, help with homework or read them a story. Prolonged incarceration can drive a deep wedge between parents and children, leaving a trail of devastation in the form of broken bonds, missed conversations and lost time. This is why the children of incarcerated parents experience higher rates of poverty and depression, and are more likely to become incarcerated themselves. Data shows that parental incarceration can establish a generational cycle.

When you break families, you break

“The righteous are those who, out of love, feed the needy, the orphan, and the captive, saying: We only do this for the sake of beholding the Face of God.”

(Qur'an: 76:8)



KEY FACT

NEARLY 1 IN 3 formerly incarcerated people involved in our survey were responsible for children at the time of their incarceration.

SOURCE: WHO PAYS: THE TRUE COST OF INCARCERATION

communities that become destabilized by the drain of adults swept into the criminal justice system. Given decades of over-incarceration, the economies in communities most effected are often hollowed out. For families struggling to deal with the “shared sentence” of having an incarcerated loved one, there are few places to turn. The neighborhoods that are home to many families dealing with incarceration are often high-poverty communities, and there are rarely adequate support resources, quality housing, access to jobs or good schools to mitigate the rippling effects of a family member’s incarceration.

Families are often the main source of hope for people during and after their incarceration. Sustaining strong family ties while a loved one is incarcerated makes a big difference in supporting successful reentry, and a relationship with a child is a profound motivator to reduce recidivism. Good relationships can help increase employment, improve the well-being of children, reduce homelessness and reduce reoffending. Even a single visit reduces recidivism by 13 percent for new crimes and 25 percent for technical violations, according to a study by the Minnesota Department of Corrections. Research by the Ohio Department of Corrections found that more visits were associated with fewer rule violations.

And yet, the systemic structure

of incarceration makes these visits difficult. Prisons are often built in rural areas of a state, which requires families to make a long, grueling trip to see a loved one, incurring costs for gas or public transportation, if it is even available. Incarcerated people are frequently moved from one prison facility to another, increasing the stress on families trying to maintain a regular visitation schedule. Prison visitation policies also vary widely from state to state, often creating additional barriers to visitation. According to research by the Prison Policy Initiative, for example, North Carolina allows just one visit per week for no more than two hours. Arizona charges visitors a one-time \$25 background check fee in order to visit. In Washington state, correction officers can deny a family visit based on what they consider “excessive emotion,” leaving families vulnerable to the whims of individual officers after they have invested the time and money in traveling to visit.

All of these factors call us to provide support for families with an incarcerated loved one to help reduce or manage the financial costs, support the resilience of their children and strengthen the family bonds that will benefit the community as a whole. Many houses of worship are already engaged in this work, but there is much to be done both to meet the immediate crisis and to work for systemic change.



A searing look at the consequences of mandatory minimum sentencing, *The Sentence* is the first film from Rudy Valdez, who tells the story of his sister Cindy Shank.

VIDEO RESOURCES

Marshall Project: We Are Witnesses — Ayana’s story

(2017, 4 MINS)

[This powerful short testimony](#) by a mother illuminates the emotional toll of her incarceration on both herself and her children.

Echoes of Incarceration

(2009-2019, 6 EPISODES)

An award-winning documentary initiative produced by youth who have direct experience with the criminal justice system. The project explores the issue of mass incarceration and its effects on families, and creates documentary films told from the life experiences of the filmmakers themselves. [Watch an excerpt](#) and learn about the DVD series addressing a range of issues that children of the incarcerated face.

Tre Maison Dasan (2019, 87 MINS)

Filmed over several years, this documentary follows three young boys in Rhode Island who each have a parent in prison. The film reveals the struggle of the boys’ daily lives as it explores relationships and separation, masculinity and growing up in a society that often demonizes incarcerated parents and provides little support for their families. [Learn more about screening](#) and see the [screening toolkit](#).

The Sentence (2018, 87 MINS)

This documentary illuminates the consequences of mandatory minimum drug sentencing through the story of Cindy Shank, who served a 15-year sentence for conspiracy charges related to crimes committed by her deceased ex-boyfriend. Rudy Valdez, Cindy’s older brother, documented her struggle to be present in her three children’s lives from behind bars and their experiences growing up over a period of 10 years without their mother. This HBO film won the 2018 Audience Award at the Sundance Film Festival. [Learn more](#), inquire about [screening](#) and see the [screening guide](#). Available for streaming on [HBO](#).



Cecilia Whitfield (second from right) with members of Use What You've Got Prison Ministry Keeping Families Connected (UWYGPM) aboard the bus heading to Wabash Prison. (JEROME BREWSTER)

INSPIRING ACTION

Cecelia Whitford
INDIANAPOLIS, INDIANA

Use What You Got Transportation Ministry

“When my son was incarcerated and facing a long prison sentence, I knew that the best way for me to cope with the pain and the hurt was through service,” says Cecelia Whitford, whose father was a pastor.

From her own experience she knew how difficult it was for families to visit their loved ones, so she decided to start a transportation ministry to help folks travel the long distances to Indiana prisons. “When you are raised in the church, everything is a ministry.” Getting started was the hard part, but Whitford’s mother told her to “just use what you got.” Those

sensible and humble words became the name of the Use What You Got Ministry. Whitford and her husband, who is also an ordained minister, got a good deal on a “big ol’ school bus” and set up a schedule of prison visits.

In the beginning, the Whitfords did the driving themselves, but over 20 years the shuttle service has grown so dramatically they now hire drivers with a CDL license and have regularly scheduled visits to 13 prisons around the state. The transportation has always been provided for free, and after a number of years the transportation ministry was set up as a nonprofit. “It is such an expense for families to have an incarcerated loved one and we don’t want to add to that burden,” Whitford explains. “We don’t charge the people, we do fundraisers.” Whitford also recognized the opportunity to use the long rides on the bus—sometimes four or five hours—to educate the riders during the journey. “Whole families travel with us,” Whitford explains, “they often need help finding support services. We share information and the families on the bus encourage each other.”

Asked about how she managed to achieve the growth of this service, Whitford says, “It has been the Lord who has always helped me in everything that I do. The Lord told me what to do and how to do it.”

KEY FACT

Over
2.7 MILLION
children have
a parent who
is either in jail
or prison.

This disproportionately
impacts children of color.
1 in 9 black children, **1 in 28**
Latino children and **1 in 57**
white children have a parent
currently behind bars.*

KEY FACT

1 IN 4
women and
1 IN 2
black women
have an
incarcerated
family member.

SOURCE: BECAUSESHESPOWERFUL.ORG

KEY FACT

When fathers
are incarcerated,
family income
can drop an
average of
22%.*

* SOURCE: COLLATERAL COSTS:
INCARCERATION’S EFFECT ON
ECONOMIC MOBILITY

Celeste Andrade

PHOENIX, ARIZONA

“I haven’t seen my father in four years. I had just had my quinceañera party, and I was at home with my family and some friends when there was a knock at the door.”



Celeste after graduating high school.

Celeste Andrade describes the painful day that two police officers came to her house. They said her father had missed a court date for a prior arrest, and Celeste watched while the officers put him in handcuffs. “The police took him away and my life changed forever.”

Without the money her father earned, the family had to move in with an aunt. She and her sister changed schools during the middle of the school year. “I’m shy, so it was hard to have to meet new teachers and new classmates. But I was determined to keep my grades good, so I put in extra effort,” Celeste says proudly. Her mother had always been at home, earning some money by babysitting other children in their house. But with these new circumstances Celeste’s mother started doing landscaping work to increase her income, often getting home late at night. “My mom always had cooked for us but she didn’t have time anymore to make homemade tortillas. It sounds silly, but I really miss that food,” Celeste says. Dinner turned into boxed mac and cheese as her mother started to go to a church food pantry for supplies to feed the family. Celeste was eager for her 16th birthday so she could get a job and contribute to the family, but she had come to America at 18 months old and was undocumented. “I didn’t realize that without a Social Security number I wouldn’t be able to find work, and getting my DACA status required a \$500 application fee. We couldn’t afford it,” Celeste explains.

Because she was undocumented, Celeste could not visit her father in jail. And because her father was also undocumented, he was deported to Mexico after a year behind bars. Celeste recently was able to get her DACA status, but it doesn’t enable her to leave the country. “I have missed so much time with him. I cried when he missed my high school graduation and my first day of college,” she says, her voice catching.

Celeste’s younger sister, born in America, is legally able to go to Mexico to see their father. When she is there, she sets up FaceTime visits for their father with Celeste. For now, that is all the contact they have.

GET ACTIVE TO SUPPORT FAMILIES

There are many ways that your congregation—either as individual volunteers or as an institution—can support families in your community that have an incarcerated loved one.

The first step is to ask families in your community what help they need.

Focus on the many activities and resources you already have in place that could be extended to these families. For example, if you do a Thanksgiving food drive or holiday toy drive, identify families with an incarcerated loved one as a recipient of these efforts. If you have a women’s ministry, consider how you might include women whose partner, sibling or child is behind bars. If you have a youth ministry, make sure you offer support to young people struggling with the stigma of an incarcerated parent or sibling.

To amplify your impact, **consider “adopting” one or two families and bringing all these resources together** including helping the family with cell phone costs and providing transportation to school or work. In [“Money Changes Everything,”](#) an article from The Marshall Project, the author explains how financial resources are essential both for the incarcerated person and the family members trying to meet their needs. The place to begin is with clergy leadership who provide a welcoming presence for these families and make clear that there is no place for stigma in your congregation.

Support Visitation

Visitation is one of the biggest challenges for families. While some states have a system of free buses, many do not. Consider how your congregations can “use what you got” like Cecelia Whitford did to set up a transportation shuttle that travels to one or two prisons on a regular basis. Many houses of worship have a “transportation ministry” to bring people to worship and own a vehicle for congregational outings and retreats. By extending the use of this resource, your van or bus could help families visit their loved ones and maintain these critical bonds.

Advocate for Better Visitation Practices

Family members should not be treated like criminals when they visit a loved one. State policy should actively encourage visiting by making the prison environment as comfortable as possible.

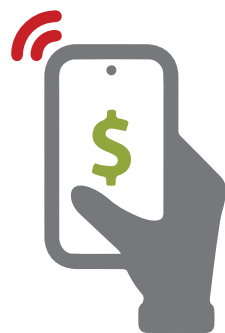
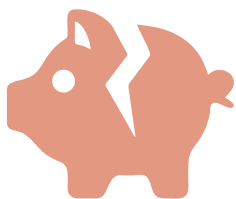
Join with partners in your community and throughout your state to advocate for these policies and practices suggested by the Prison Policy Initiative:

- ▶ Stop dehumanizing visitor searches, especially strip searches, and using dogs that can be traumatic for family members.
- ▶ Set up family-friendly visitation programs such as the children's center in New York State's Bedford Hills Correctional Facility and the Oakland Livingston Human Service Agency's program in Michigan that allows incarcerated fathers to have hour-long visits with their children in a space that enables activities together.
- ▶ Reduce the cost of telephone calls and eliminate excessive restrictions on mail that can prohibit even children's drawings and greeting cards.

KEY FACT

More than
1 IN 3
families fall
into debt paying
for phone calls
and visits to their
incarcerated
loved ones.

SOURCE: WHO PAYS: THE TRUE
COST OF INCARCERATION



10 TIPS FOR

Starting a Prison Transportation Ministry

1. Schedule a meeting with your state's Department of Correction to assess the need and determine how you can help most effectively. You also need to learn the rules and regulations for visitation at the various facilities. Then partner with the DOC to coordinate your visits and promote your service.
2. Try to use a vehicle that is accessible so people with walkers and in wheelchairs can make the trip.
3. Create flyers about the shuttle service and distribute the information widely, including through food banks, Medicaid offices, public defenders and reentry services. Ask the DOC to post the information at the prison(s) you are going to visit.
4. Set up a specific phone or email address for the transportation ministry so people can schedule a trip. This is especially important if your van only has capacity for 18–20 people.
5. Maintain your vehicle very well and use good gas. Getting to distant prisons can involve driving on back roads in rural areas, and you don't want mechanical problems during a trip. You need a plan in case your vehicle does break down. Cecilia Whitford is a member of the United Methodist Church, which has many congregations throughout the state. She knows she can call on them for help in an emergency far from home.
6. Create a sign-in form for riders specifying that no drugs, weapons or cursing are permitted on the bus. Require everyone to sign the form.
7. Arrange stops every two hours so people can get off the vehicle to eat, use a bathroom or smoke. Anxiety and emotions sometimes run high during these trips and people need to take breaks.
8. Provide a cooler on the vehicle so riders can store their cold drinks.
9. Stock the bus with flyers and pamphlets about services for families with an incarcerated loved one.
10. Most prisons and jails do not permit cell phones inside, so allow riders to leave their cell phones with the driver to keep them secure during their visit.

Children Who Have Experienced Parental Incarceration

Find out the dimension of this crisis for children in your state in this chart from a [report by the Annie E. Casey Foundation](#).

	NUMBER OF KIDS	%		NUMBER OF KIDS	%
United States	5,113,000	7	Missouri	98,000	7
Alabama	88,000	8	Montana	18,000	8
Alaska	18,000	10	Nebraska	41,000	9
Arizona	138,000	9	Nevada	55,000	8
Arkansas	61,000	9	New Hampshire	15,000	5
California	503,000	5	New Jersey	65,000	3
Colorado	60,000	5	New Mexico	52,000	10
Connecticut	36,000	5	New York	148,000	4
Delaware	15,000	8	North Carolina	179,000	8
District of Columbia	9,000	8	North Dakota	10,000	7
Florida	312,000	8	Ohio	271,000	10
Georgia	189,000	8	Oklahoma	96,000	10
Hawaii	16,000	5	Oregon	68,000	8
Idaho	35,000	8	Pennsylvania	181,000	7
Illinois	186,000	6	Rhode Island	10,000	5
Indiana	177,000	11	South Carolina	73,000	7
Iowa	58,000	8	South Dakota	17,000	8
Kansas	45,000	6	Tennessee	144,000	10
Kentucky	135,000	13	Texas	477,000	7
Louisiana	94,000	8	Utah	44,000	5
Maine	20,000	8	Vermont	7,000	6
Maryland	82,000	6	Virginia	103,000	6
Massachusetts	69,000	5	Washington	109,000	7
Michigan	228,000	10	West Virginia	34,000	9
Minnesota	67,000	5	Wisconsin	88,000	7
Mississippi	55,000	7	Wyoming	12,000	9

Nationally, the number of kids who have had a parent in jail or prison at some point in their childhood hovers around 5.1 million—a conservative estimate.

Kids with incarcerated parents are significantly less likely to live in neighborhoods that are able to be supportive of families.



SOURCE: THE ANNIE E. CASEY FOUNDATION

Support Children

Children with an incarcerated parent are often especially vulnerable, and your congregation may want to focus on supporting their well-being and resiliency. You can partner with many national, state or local organizations, building on the foundation of their expertise and connection with impacted families.

The first step is to understand their lived experience and learn how best to offer support. This [series of video tools from Sesame Street](#) offers helpful ways to talk to children of incarcerated parents. It is also important to consider the needs of teen children who have spent years separated from a parent. This article in [Teen Vogue](#) provides powerful insight.

The Osborne Association is a New York-based organization with national reach committed to transforming lives, communities and the criminal justice system through direct services and policy advocacy and training. Every October, the Osborne Association and

its national partners raise awareness of the needs of children with an incarcerated parent and advocate for family-friendly criminal justice reform. Download the [See Us Support Us Toolkit](#) for ideas and resources.

We Got us Now is a growing national movement built and led by children and young adults whose lives have been touched by parental incarceration. [Their advocacy campaigns](#) to keep families connected can serve as models for advocacy at the state level.

Many state and regional associations support the children of incarcerated parents. They can provide expertise and resources that will amplify your efforts. Check them out and research additional organizations that might be helpful where you live.

National Incarceration Association, based north of Atlanta in Alpharetta, Georgia, was launched by Kate and Frank Boccia based on their personal experience with the incarceration of their son, who struggled with addiction. The NIA connects the communities of

families, advocates, service providers, policymakers and business stakeholders to create measurable results in justice and corrections reform.

Children of Promise, NYC, based in the Bedford-Stuyvesant neighborhood of Brooklyn, offers programs for the children of incarcerated parents, partnering with community houses of worship including the First African Methodist Episcopal Zion Church to provide a safe space for services from tutoring to summer camps. See this story about Children of Promise, NYC on the [TODAY](#) show.

San Francisco Partnership for Children of Incarcerated Parents is a coalition founded almost 20 years ago by social service providers, representatives of government bodies, advocates and others who work with or are concerned about children of incarcerated parents and their families. They have an [extensive list of valuable resources](#), and formulated this bill of rights used as a guiding principle by advocates across the country.

A Bill of Rights for Children of Incarcerated Parents

1. **I have the right** to be kept safe and informed at the time of my parent's arrest.
2. **I have the right** to be heard when decisions are made about me.
3. **I have the right** to be considered when decisions are made about my parent.
4. **I have the right** to be well cared for in my parent's absence.
5. **I have the right** to speak with, see and touch my parent.
6. **I have the right** to support as I face my parent's incarceration.
7. **I have the right** not to be judged, blamed or labeled because my parent is incarcerated.
8. **I have the right** to have a lifelong relationship with my parent.

Edil Nour ATLANTA, GEORGIA

“I was 10 years old when my brother Sacad was arrested,” Edil Nour remembers.

Sacad was in jail for two years, and we were limited to seeing him behind glass so we were not able to even give him a hug. When Sacad was sentenced, he was transported to a prison almost two hours away by car. “My family was devastated,” says Edil, “but happy that at least we would finally be able to touch him on visits.”

Most every weekend the family travels to visit Sacad, and they have learned to adjust as he has been moved from prison to prison. Many of the prisons are in rural areas where the Muslim population is close to nonexistent. “We continuously get flak for our hijabs and go through the same grueling and humiliating process of being searched and asked to ‘remove those things on your head.’ Because of our hijabs, our searches are more intrusive. Sometimes they want us to go to a closed room where they pat us down and ask us to shake our scarves to ensure nothing was hidden. We comply as best as we can because they have the power to deny our visit.” All of these visits come at a financial cost as well. “There’s no way to quantify the amount of money and time my family has put into the system. Each prison has vending machines containing overpriced foods for visitation, we send money for commissary every month and accept the expensive collect calls,” Edil says. “All of this pressure was on my parents. For years we told our relatives that Sacad was away in college, but finally we had to admit the truth.”

Despite the hardships, the financial stress and the stigma of having an incarcerated family member, Edil and her family remain steadfast in supporting Sacad. “I love my brother with my entire heart, and he is an amazing human being,” Edil says. “Although he’s locked up, Sacad is one of the first people I go to for advice. When I’m stressed about school or an upcoming exam, my brother is praying for me and giving me encouraging words. He’s still my big brother, regardless of the circumstances. I look up to him and I’m so proud of the person he’s become.”

Edil is applying to medical school and is eagerly awaiting Sacad’s release from prison in 2020.

LEFT: Edil with her brother and sister on Family Day 2018 at Phillips State Prison in Georgia.

RIGHT: Edil, her brother and sister Hapon were always very close with each other and with their mother.



LEARN MORE

A Shared Sentence—Annie E. Casey Foundation

This 2016 report recommends policies and practices that put the needs of children of incarcerated parents first, suggesting how correctional systems, communities, and state and local public agencies can help stabilize families and preserve their connections during incarceration—and successfully move forward once parents come home.

Youth.Gov

This organization has a wide range of tools and resources to help individuals and communities support the social and emotional well-being of the children of incarcerated parents.

Stronger Together Handbooks

This series of three handbooks from the Osborne Association are free to download. Volume I describes the feelings and behaviors that are common when a parent is incarcerated, as well as what parents and caregivers can do to support children and prevent or minimize negative responses. Volume II focuses on the importance of maintaining parent-child relationships, navigating the criminal justice system to do this, and the power of communication—especially between a child and his or her incarcerated parent. Volume III is specifically for nonparent caregivers and provides essential information for any caregiver caring for children with an incarcerated parent.





Helping Incarcerated People

ISSUE BRIEF

If we want to reduce the number of people warehoused in jails and prisons, we have to ensure that once people are released they will remain free. Yet data shows that 75 percent of people who are released are arrested again within five years. This is called recidivism, and it is not just a societal problem; it is also a major taxpayer expense.

As we noted in *Taking Action: Supporting Families & Children*, strong ties between the person behind bars and loved ones outside is key in reducing recidivism, but many incarcerated people who come from fragmented families do not have that support. That is why letter-writing programs that open a channel of communication with the outside world are so valuable—they offer hope and motivation. People behind bars are also grateful for programs that provide toiletries, underwear and other items that we all take for granted but that are out of reach for prisoners without resources. Participating in these kinds of programs is an ideal way to initially engage a congregation in supporting people who are incarcerated—a first step to help congregants learn more about the issues and develop a deeper commitment to being part of the solution and driving change.

Education has also proved to be one of the most effective supports to reduce recidivism. Education offers hope for the future, relief from boredom and intellectual stimulation. However,

post-secondary level educational opportunities, once quite prevalent in prisons, plummeted in the 1990s when lawmakers eliminated access to federal Pell Grants for people in prison. Across the country, many organizations stepped into the vacuum to offset this misguided public policy. In 2016 the Second Chance Pell pilot program reinstated some Pell Grant access, but it falls far short of the demand. In many places volunteers with academic backgrounds or professional knowledge are teaching incarcerated people to give them a better chance to succeed in the job market upon their release. Volunteer tutors and mentors who work one-on-one with incarcerated adult students often support these efforts, helping them master coursework, structure study time and look ahead to how they might use their education in the future. This kind of volunteer work requires a greater investment of time and energy, because consistency is important to develop relationships and build trust.

Even for incarcerated people not formally involved in an educational program, reading reduces recidivism, according to a study by a University of Massachusetts English professor who started a program in 1991 called “Changing Lives Through Literature.” Professor Bob Waxler had long seen literature transform his college students and thought it might have the same impact on people in prison. His study and others have shown his theory was correct.

“Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.”

Matthew 25:40

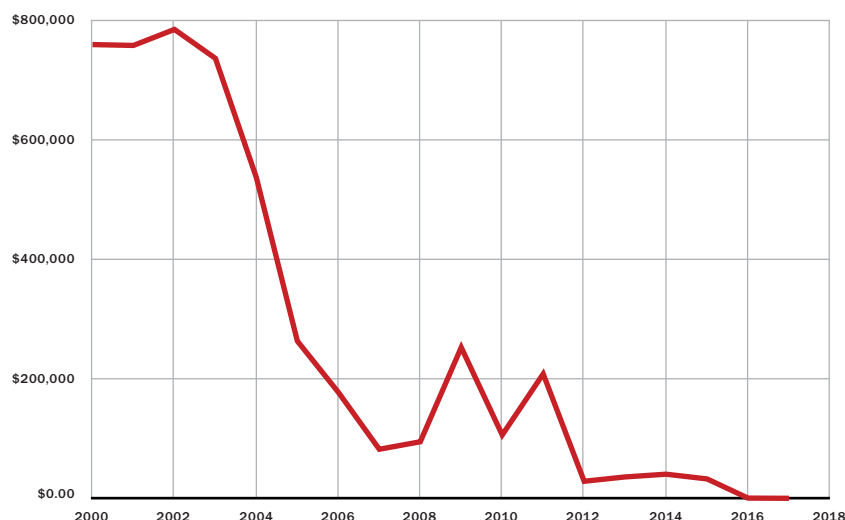


KEY FACT

Only about
HALF
of incarcerated adults have a high school degree or its equivalent.

SOURCE: THE COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER

IDOC Spending on Books in Prison (2000–2017) *



* SOURCE: ILLINOIS DEPARTMENT OF CORRECTIONS

KEY FACT

Illinois decreased spending for books

96%

compared to budgets between 2000-2005. Many other states have also cut funds for prison libraries.*

The impact is sometimes easy to observe. *The Atlanta Journal-Constitution* recently reported on the experience of Kosha Tucker, an attorney with the ACLU of Georgia. When Tucker visited a teen in a detention center, she was met with an icy stare. But then she sent him a book. When she saw him next, he was ebullient, she recalled, proudly displaying drawings of tools and techniques he reproduced. Reginald Dwayne Betts, a published poet with a law degree from Yale University, was at one time incarcerated. “Books do the same thing for (prisoners) as they do for everyone else in America,” he said. “It’s a part of what allows you to be connected to places you’ve never been, people you’ve never met.”

And yet, across the country budget cuts have drastically reduced the books available to incarcerated people. For example, in the early 2000s the Illinois Department of Corrections spent an estimated \$750,000 each year on books for more than two dozen correctional facilities. In 2017, that same budget line item was reduced to \$276. In Georgia there was no budget for prison libraries for years; they

relied solely on donations until recent efforts to rebuild their book collections. Not only have budget cuts reduced the supply of books, but correctional institutions in [Ohio](#) and [Washington](#), among other states, have made it increasingly difficult for incarcerated people to access books by using a variety of tactics to prevent people on the outside from providing books—either new or used—to people on the inside. States including North Carolina, Arizona and New Hampshire have banned books about the failures of the criminal justice system and racial oppression.

All of these policy decisions require active lobbying efforts to overturn them, but in the meantime there are many ways that congregations can get involved to support people who are locked up. Across the country there are established organizations that would welcome support and volunteers to strengthen their programs to bring education, the arts and books into prisons and jails. There are also letter-writing programs and other ways that your congregation can start immediately to reach out to people behind bars, establish a new connection and offer hope.

VIDEO RESOURCE

College Behind Bars

(2019, 4 EPISODES)

This four-part documentary film is about a small group of incarcerated men and women struggling to earn college degrees in one of the most rigorous prison education programs in the United States—the Bard Prison Initiative. Shot over four years in New York-state prisons, the series reveals the personal stories of students and their families, and the transformative power of higher education. The film will air on PBS in the fall of 2019. [Learn more.](#)



College Behind Bars puts a human face on America’s criminal justice crisis.

GET ACTIVE HELPING INCARCERATED PEOPLE

► **Encourage Members of Your Congregation to Correspond with a Person Behind Bars**

Writing regularly to someone who is incarcerated is not only deeply appreciated by that person; it also opens a window of understanding for the volunteer into the lives of people who may have been found guilty of a crime but still have personal goals, dreams and humanity to share. [Write a Prisoner](#) has listings of incarcerated men and women throughout the United States seeking pen pals. You can search by state, by gender or by age, and read profiles of the people who are hoping for a pen pal. You can also reach out to your county or state's Department of Corrections to inquire about pen pal programs they may provide.

► **Collect Supplies for People Who Are Incarcerated**

Life in jail or prison can be very hard, with only the most basic food and clothing. That is why houses of worship and criminal justice reform organizations often collaborate to collect desperately needed items for people behind bars who do not have family members to provide this support. For example, Jocelyn Walters, head of the Impact Ministry at [Emmanuel Baptist Church](#) in Brooklyn organizes a "collecting whites" drive for the kinds of underwear and socks permitted in New York City jails. In Chicago, [Moms United Against Violence and Incarceration](#) collaborates with area houses of worship and other nonprofits to hold an annual vigil and toiletries drive outside the Cook County Jail. Now in its fifth year, this Mother's Day event supports women behind bars while raising awareness about the impact of incarceration. Contact your local Department of Corrections to inquire about regulations on what can be donated.

► **Collect and Donate Books**

People behind bars are hungry for books, and there are many programs that can help your congregation get involved to meet this need. [Books](#)

[to Prisoners](#), based in Seattle, has been mailing tens of thousands of free donated books to incarcerated people across the country for over four decades and receives upward of 1,300 requests for books each month. Chicago Books to Women also sends books to prisons across the nation and recently set up an [online "Wish List"](#) of books that are frequently requested but seldom donated. [Books Through Bars](#) is a volunteer group that meets regularly in Brooklyn to collect and package books. Its website notes, "For those with low literacy levels or limited English-language skills, the obstacles to resources are redoubled. We have often received letters written on behalf of cellmates with these language barriers." [Redbird Books to Prisoners](#) is based in Columbus and sends reading material to Ohio prisons. Other regional programs include Appalachian Prison Book Project ([@appalachianPBP](#)), and the Prison Book Program in Massachusetts ([@prisonbookprog](#)). To donate books to Georgia prisons, email Director of Library Services Emanuel Mitchell at emanuel.mitchell@gdc.ga.gov.

► **Support Education for People Behind Bars**

Access to education and training for people while incarcerated can be life-changing. Research how your congregation can support educational volunteer opportunities by contacting the [Federal Bureau of Prisons](#) or by calling your local sheriff or local jail. You can also contact universities in your region to find out if they support a program to provide coursework to people in prison.

There are many programs across the country that your congregation can participate in like these:

[Partakers College Behind Bars](#)

program supports prison education programs in Massachusetts in collaboration with Boston University, Tufts, and Emerson by coordinating teams of volunteers who mentor incarcerated men and women as they pursue higher education. Each incarcerated student is paired with a team of



KEY FACT

Recidivism is reduced by

43%

for incarcerated people who participate in educational programs in prison.

SOURCE: RAND CORPORATION

KEY FACT

A 2014 survey found that

70%

of incarcerated people wanted to enroll in an academic program.

SOURCE: THE CHRONICLE OF HIGHER EDUCATION

While incarcerated at Norfolk Correctional Institute, Partakers mentee **Frantz Desir** graduated with honors from Boston University.

Dear Partakers Staff,

My experience as a college student taught me many things. One of which is to always keep an open mind. Most importantly, it taught me to always work hard, never give up, think critically, and to be inquisitive in my quest for understanding. Of course, it was definitely a long and arduous journey (6 years) with many obstacles and challenges. However, you motivated me with all your encouragements and belief.

Your mentoring program was instrumental in which it gave me a chance to meet new people (so many to name, but please give "Team Frantz" a big high five and tell them I said thank you). They helped me with the many challenges I encountered throughout my courses. We were able to discuss a variety of topics and subjects that gave me a different perspective on life, society, and how the world works. I truly appreciate your sacrifice and efforts including financing the Dantes exams which helped speed up my graduation date, I am forever grateful.

I believe prison education is the key to reducing and ultimately preventing recidivism. It has always been my desire to give back to Partakers and my community in any way I can; therefore I pledge my time and volunteer my assistance to Partakers when I am granted parole. Partakers is doing great work for the betterment of society and those individuals, like me, who find themselves behind prison walls. I commend you for all that you do. Anything that I can do now or in the future, please let me know.

Please find this card and picture of my graduation which express my sincere thanks and gratitude for all the help and support you provided me in obtaining my goal of graduating college. Thank you.

Thank you, thank you, thank you, thank you, thank you, thank you ☺!

Sincerely,

Frantz Desir

several mentors who visit in twos and correspond regularly. This is a long-term commitment by the mentors to support the student throughout the course of study. By working as a team, the mentors are able to share the responsibility and the obligation among themselves. This in-depth, supportive relationship has contributed to extraordinary results. Partakers has a 2 percent recidivism rate, compared to the national average of 67 percent. Members of 30 area congregations, including Temple Beth Elohim in Wellesley, participate as mentor teams.

Education Justice Project offers educational programming at Danville Correctional Center through the University of Illinois at Urbana-Champaign. Each fall and spring they accept applications for tutors, workshop facilitators, ESL instructors (Language Partners), computer lab support, academic advisers, math workshop facilitators, prison library support and computer lab support. The EJP provides continued support for its alumni after they are released from prison and hosts programs for family members to support their efforts to navigate the challenges of having a loved one behind bars.

The Prison Creative Arts Project offers programming at all Michigan Department of Corrections prisons, at the Washtenaw Prisoner Reentry Program in Ann Arbor, and several youth detention and treatment centers in Southeast Michigan. PCAP collaborates with a prison books program that the Unitarian Universalist Congregation of Ann Arbor operates to collect and distribute donated books to Michigan prisons. PCAP sends a wish list to the Prison Books program each year requesting books for recreational reading, self-help, literacy, art and writing programs in the prisons.

Prison University Project at San Quentin, California provides 20 courses each semester taught by volunteer faculty and tutors who commit to five to ten hours per week for a semester. About 300 students are enrolled each semester in classes in the humanities, science, math and social sciences.

VOICES

Sarah Ross

INCARCERATED IN ILLINOIS

Sixteen

15 years, 7 months, 4 weeks, 1 day, 16 hours, and 33 minutes to be exact.

5,724 dreadful days, 137,416 and a half hours, 8,244,993 miserable minutes.

And I won't forget a second of it.

I missed 66 of my kids' birthdays, 337 holidays, 16 vacations, 14 graduations, 11 funerals,

First steps, first words, all of my 20s, half of my 30s, most of my life.

I lost everything.

Every dime I had, four appeals, friends, family, my fiancé, my relationship with my kids.

At times I lost faith,

Other times I lost hope,

A few times I even lost myself,

But I survived.

I survived the conditions. I survived the ornery, tyrannical officers; some wolfish, vulturous inmates.

A stabbing, being jumped, two black eyes, two busted lips, one chipped tooth, a busted head, 6 stitches, 1 broken nose, 1 fractured arm, 1 concussion.

The suffering, the pain, the loss.

But I overcame.

I endured.

By never hearing, never seeing, never speaking, never caring, never feeling, never loving, never resting, never giving up.

For 15 years 7 months 4 weeks 1 day 16 hours and 33 minutes to be exact

5724 dreadful days

137416 and 1/2 hours

8,244,993 miserable minutes.

All for a crime I didn't commit.

And I can't forget a second of it.

But who's counting?



Providing Reentry Support

ISSUE BRIEF

Over 600,000 men and women are released each year from state or federal custody, joining a community of about 5 million formerly incarcerated people living in the United States.

Returning to society after incarceration is a complicated transition for most people, and for their families. Those released from prison face multiple barriers to employment, education, housing, public assistance and paying off debts related to their detention. Many may also suffer from addiction issues or untreated mental health problems often made worse in prison. All of these factors contribute to a vicious cycle of incarceration and reincarceration. In fact, research shows that 2 out of 3 of those formerly incarcerated will be arrested again within three years of their release.

The stigma of having an arrest—even one much earlier in life—hurts an applicant's job prospects more than virtually anything else. While the “ban-the-box” movement—which urges employers to remove questions about criminal histories from job applications—has been widely successful across America, many employers still require applicants to disclose this background information. It is part of the reason why roughly 60 percent of those with a criminal record remain unemployed one year after their release.

Another key barrier to reentry is housing. Finding somewhere to live after incarceration can be extremely

challenging, as 4 out of 5 landlords perform criminal background checks on potential tenants. A shortage of public housing adds to the challenge and a “one strike, you’re out” public policy can make those options completely out of reach for someone who had been incarcerated. It’s tough to find a job without housing, and vice versa.

While the practice of incarcerating people for failing to pay debts was abolished nearly two centuries ago, modern-day debtors’ prisons—the arrest and jailing of people who cannot afford to pay their legal debts—have sprung up across the U.S., in part to help states shore up their budget deficits. The Supreme Court declared it unconstitutional to put people in prison because they are too poor to pay debts in *Bearden v. Georgia* back in 1983.

Compounding this, once a person is released from jail or prison, he or she often has legal financial obligations such as fines or restitution, which can include everything from public defense to food and other basic necessities for life in prison. Today, 85 percent of returning citizens have criminal justice debt, up from 25 percent in 1991. Clearly, paying off these debts is a challenge, especially given the difficulties in securing a job or housing—which can land people back to prison, trapped in an endless cycle of poverty, debt and incarceration.

The barriers to successful reentry can result in lifelong punishment for those with records, which constrains not only their own future but can affect all family members, trickle down

“Do I take any pleasure in the death of the wicked? declares the Sovereign LORD. Rather, am I not pleased when they turn from their ways and live?”

Ezekiel 18:23

KEY FACT

More than
600,000
people are released from prison each year.

SOURCE: NATIONAL REENTRY RESOURCE CENTER

and significantly limit their children's prospects. Experts say criminal justice reforms must remove institutional barriers to reentry that stigmatize those who previously have been incarcerated.

Hundreds of organizations, including faith-based groups, work to help those returning from prison to succeed upon reintegrating into their community. They offer shelter, housing services, food, clothing, employment training, substance use and mental health treatment, mentoring opportunities and other supports. Staff and volunteers from interfaith groups can develop positive and lasting relationships with men and women who have been released from prison. These relationships can provide motivation and support to help those struggling with reentry to remain committed to a crime-free life.

INSPIRING ACTION

Pastor Ruth Carter-Crist

CARING POINTS CHURCHES,
LEIPSIC, OHIO

"We are often described as that little church in the country. And although that description is accurate, it's also incomplete." So says the website of New Hope Bethel, part of a family of five small United Methodist churches in Leipsic, Ohio, a rural agricultural community with a population of 2,000 souls. But like every community in America, the congregations of these small churches—some no bigger than 30 people, comprised of families that have worshipped together for generations—have been impacted by mass incarceration. The very active five-church community started helping incarcerated citizens when Kathy Kaufman, a member of the Gilboa church congregation, went to prison. While she served her sentence at the Ohio Reformatory for Women, the Gilboa congregation supported her parents "every one of the 1,095 days I was imprisoned," says Kaufman.

When she was released six years ago, "Kathy was embraced by the church community," explains Pastor Ruth Carter-Crist. Supported by her family and church, Kaufman was able

to rebuild her life, remarry and start a small business. Then she encouraged the church family to reach back into the prison community to help the people still there. "I spoke to the people in the Gilboa and the New Hope Bethel congregations many times," says Kaufman. "People are afraid because they just don't know, all they may know about prison is what they have seen on television. But every one of the women behind bars is someone's daughter, or mother, or sister."

With Kaufman's guidance, the churches reached out to [Life Builders](#), a new faith-based mentoring program started by the Ohio Department of Rehabilitation and Correction. The program, [described by some](#) as the next step in prison ministry, trains mentors to visit mentees who are scheduled for release in the year ahead. That way, mentors have an established relationship with their mentee and can continue to support them upon their return. On Easter Sunday, Debra Hudson was released and "came home" to Leipsic, a community where she had never been. "Our five churches came together to clean and furnish her apartment, fill the pantry with food and fill the bathroom with toiletries," says Pastor Ruth. "We put out a list of furniture and supplies that were needed and coordinated donations." Pastor Ruth picks Hudson up for church on Sunday mornings, and after worship service women in the congregations often take Hudson out for lunch. "We make sure that Deb is included in all the church activities," says Pastor Ruth. "The congregation is walking with her on this journey of recovery."



Gilboa United Methodist Church

KEY FACT



2 out of 3
people who were
incarcerated
will be arrested
again within
three years of
their release.

SOURCE: NATIONAL REENTRY
RESOURCE CENTER

KEY FACT

85%
of returning
citizens face
criminal
justice debt.

SOURCE: ELLA BAKER CENTER
OF HUMAN RIGHTS



Pastor Ruth Carter-Crist



Leipsic is a small village in Putnam County, Ohio, with a population of around 2,000 people.

Supported by family and a welcoming church community, **Kathy Kaufman** has been able to build a thriving business in the six years since she was released from prison.



Kathy Kaufman & Debra Hudson LEIPSIC, OHIO

“I was lucky,” says Kathy Kaufman. “My parents, my children and my friends never missed the monthly visiting day while I was serving my sentence.

Most of the women in prison with me did not have that.” Kaufman was exceptional in other ways too: She grew up in a small town with good schools, she went to college and then worked as an accountant before her life unraveled. “When I was incarcerated, I learned that so many of the women behind bars didn’t have any education,” she says.

While serving her sentence Kaufman learned how to train service dogs as part of the Possibilities reentry program. “I had no dog experience before, but I knew when I went home I would have to find a new way to support myself, and I worried about applying for jobs with a felony behind my name,” she says. Kaufman was able to move back in with her parents after her release. “My husband divorced me while I was in prison,” Kaufman says, explaining that happens to a very high percentage of incarcerated women. “So when you get out you don’t have a home to go to.” She used her new training to open a small business to train, groom and board dogs. And she remarried. But she remained focused on the women left behind. “Some of the most awesome people I have ever met

are behind razor wire,” she says.

With Kaufman’s encouragement, members of her cluster of churches decided to join her in the Life Builders program launched by the Ohio Department of Corrections. She and four other women volunteers started traveling to the women’s penitentiary twice a month, where they met with a group of five incarcerated women and established one-on-one relationships as mentors. “It takes time to build trust,” says Kaufman, “so that you can help the women develop a sense of hope. So many of them have no hope at all.”

Debra Hudson was one woman that the group from the Leipsic churches began to mentor. “They came regularly to see us during the last six months of my sentence, and they talked to us about the future and what I can expect from them when I was released. A preacher’s wife was one of the group and she would preach to us and pray with us to reassure us that everything would be OK,” Hudson says. She formed a close bond with her mentor Diane, whose daughter also had addiction issues, and Hudson told Diane

she did not want to return to the city of Lima, where she had gotten into so much trouble. “When you are released, the state gives you \$74 and puts you on a bus back to where you came from,” Hudson says. “I knew I wouldn’t make it.” So the church mentors invited Hudson to come to Leipsic. “It was very overwhelming to me to come here to this small town—I was used to living in a city—and I didn’t know anyone except for the two ladies who were sponsoring me. They met me at the apartment and told me the rent was paid for April and May. They took me for an interview at a restaurant and I got a part-time waitress job that day. They have really helped out and kept their word, and I feel I am wanted here,” Hudson says. She speaks with Kaufman by phone many times a week, and often stops by to visit and check in. Pastor Ruth has been taking her to interviews to help her get a full-time job. “I’ve only been out a month, and I am so scared right now,” Hudson says. “But I can call Kathy or Diane or Pastor Ruth and they will make me feel like everything can work out.”

GET ACTIVE TO PROVIDE REENTRY SUPPORT

In your congregation, you can **start by educating your community about the obstacles that formerly detained individuals face**. Perhaps someone in your community can give direct testimony—or recommend someone who can—about these struggles. Since almost everyone in your congregation is either an employee or an employer, encourage them to speak out about the problems facing formerly incarcerated people in the workplace. Challenge your community to encourage employment for those with criminal records who are eager to work.

April is Second Chance Month, a nationwide effort to raise awareness about the barriers facing the 65 million people in America with a criminal record, and to open up opportunities to them. You can **speak to your congregation about Second Chance Month activities** and encourage them to share this information through personal and social networks.

The **Ban the Box** campaign calls for removing questions about criminal convictions from applications for employment, housing, public benefits, insurance, loans and other services. Across the country, **35 states and over 150 cities** and counties have adopted “ban the box” practices so that employers consider a job candidate’s qualifications first—without the stigma of a conviction or arrest record.

Your congregation may be able to **mentor a person who is reentering society after incarceration**. This is a challenging task and should not be taken lightly, though it has the potential to make a major difference. You can start by asking your community if anyone has a friend or relative who needs support. Your congregation can help by providing meals, offering transportation and aiding with searches for education, housing and employment. **Prison Fellowship** offers guides for both **short- and long-term reentry ministry** with ideas about how your community can get involved. It may be helpful to **call 211** to learn about reentry services where you live. When possible, it’s

best to develop relationships with a detainee before their prison release. The group also **provides free training** for all mentoring volunteers and shows them how to get connected with a local reentry team.

Often the best way to start is by reaching out to the reentry department of the county or state where you live, as well as the local or state department of corrections. Find out if your congregation can volunteer in an existing program set up for those newly released from prison. The Lionheart Foundation lists **reentry programs** by state, but it is not a comprehensive list; there may be other local reentry services to partner with. To better understand what your congregation can do, have a look at **Reentry Partnerships: A Guide for States & Faith-Based and Community Organizations**, which provides information for state government officials and representatives of faith-based and community organizations. Consider reaching out to your local chamber of commerce and meeting with them to discuss how your congregation can support employment.

ONLINE RESOURCES

Balancing Justice With Mercy:

An Interfaith Guide for Creating Healing Communities is a toolkit produced by The Annie E. Casey Foundation to help communities of faith learn how they can minister to members of their own congregations who are caught up in the criminal justice system (both the accused and victims), as well as to their families.

Healing Communities provides a framework for a distinct form of ministry for men and women returning from or at risk of incarceration, their families and the larger community. The organization trains communities of faith to connect returning citizens to resources that will help set attainable goals, provide spiritual support, foster positive relationships, extend open and affirming fellowship, and advocate for political change on a local, state and federal level.



KEY FACT

79% of survey participants were either ineligible for or denied housing because of their own or a loved one’s conviction history.

SOURCE: WHO PAYS: THE TRUE COST OF INCARCERATION

VIDEO RESOURCES

Released (2017, 8 EPISODES)

Executive produced by Oprah Winfrey, *Released* tells the stories of six people during their first three months in the outside world after years, and in some cases decades, behind bars. The series follows each of them as they walk out the prison doors for the first time, and stays with them for every step—and misstep—as they attempt to reconnect with their loved ones, establish their independence and begin the hard work of starting over. *Learn more and watch on OWN* (LOG-IN REQUIRED).

Knife Skills (2018, 40 MINS)

The Oscar-nominated documentary *Knife Skills* follows the hectic launch of Edwins, a Cleveland, Ohio fine-dining restaurant run almost entirely by men and women newly released from prison. The owner, Brandon Chrostowski, has created a kind of hybrid restaurant and social services concept to provide education, housing and steady employment for former detainees who face few prospects. *Watch now on YouTube*.

Pastor Sherry Gale and Chef Thomas Johnson

GRACE UNITED METHODIST CHURCH, DAYTON, OHIO

“I was a pastor in the inner city of Cincinnati, where the whole work of the church was focused on poverty relief, and I saw how many people were touched by the criminal justice system,” says Pastor Sherry Gale.

“So when I came here to Dayton, a faith community in the diverse urban center of the city, I became part of the founding board of the Montgomery County Re-Entry Police Board.” This board was made up of people from social services, the faith community and various government agencies, and Pastor Sherry chaired the workforce and job placement committee. “I had seen the model of Cincinnati Cooks, which was based on other community kitchens around the country, and I wanted to start that here in Dayton.” Culinary jobs are a growth industry. Grace Church is a very large facility with a big commercial kitchen, ideal for a training program. When a member of the congregation retired and was looking for a service project, Pastor Sherry knew the time had come to get this new program started.

Dayton Cooks is a free 10-week program that trains students, many of them previously incarcerated, to work in the food service industry. There are four sessions each year, full time Monday to Friday. Eight to 10 students are trained in food safety, sanitation, basic knife skills, classic cooking techniques, commercial kitchen operations and equipment use. Every day Dayton Cooks students prepare 350 meals that church volunteers deliver to an after-school program, providing dinner for kids from low-income families. For the returning citizens in the program it’s a virtuous cycle of rehabilitation, training and giving back.

“We scratch cook here,” says Chef Thomas Johnson. “We live in a food desert and the kids are used to eating chips and pop so we don’t do any fried

food. We turn out nutritious meals of chicken parm, meatloaf, whole grain pasta and farm fresh vegetables. I try to find the difficult things to make so the students can learn how to make a sauce or broil.” Previously incarcerated himself, Johnson relates to the students in his program. “I had one student who just couldn’t be a team player, and every time I gave her direction it turned into a confrontation,” he recalls. “But I’m cut from the same stone,” he explains. “We all as humans have some type of barriers that we have to deal with on a daily basis. A lot of people had given up on her and we don’t give up on anyone. Now we are the best of friends.” Johnson learned to cook from his grandmother who ran the kitchen in the Baptist church that he grew up in. “From the time I was 10, I was in the kitchen with her every Sunday.” A troubled adolescent, Johnson joined the Navy, where he learned to cook three meals a day for 6,000 sailors.

“Our church community is very involved in both this program and the other prison ministry and reentry work we do,” Pastor Sherry explains. The Dayton Cooks program has been very successful in placing people in jobs. “Some of our members are foodies and have restaurant contacts. We reach out to the community groups we know. And we have been working with University of Dayton Food Services, which operates a lot of dining halls, and can provide professional growth as well as tuition waivers for these employees over time. That’s a real path out of poverty.” Johnson makes it a point to keep in touch with all the program graduates



TOP: Chef Thomas Johnson shares his experiences with incarceration and reentry with the church congregation.



BOTTOM: A class of Dayton Cooks students with their teacher Chef Thomas (R).

so he can continue to mentor and support them. And one is returning the favor. “Janey got a great job at UD Food Services two years ago, and she is a shift supervisor in the dining hall now. Her day off is Thursday, so she comes back to Grace to help me out. She supervises the students in the kitchen so I can do planning and administrative work,” says Johnson.

“Setting up a program like this is a heavy lift,” cautions Pastor Sherry. “We have a lean and very hands-on advisory board for the program. The members keep track of the financials, help us apply for grants, work their connections and organize a graduation after each session. Throughout the congregation, there is widespread understanding, belief in and advocacy in this mass incarceration work. Members of our church have come to recognize that people are people.”

Taking Action — Creating Expungement Events

is featured as a booklet available at: publicsquaremedia.org

